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THE LIFE AND TIMES OF JOHN MAITLAND DUKE OF LAUDERDALE

(1616-1682)

JOHN MAITLAND, DUKE OF LAUDERDALE

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THE LIFE AND TIMES OF
JOHN MAITLAND
DUKE OF LAUDERDALE
(1616-1682)

BY

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PREFATORY NOTE

The representatives of the first and the last letters of the historical "Cabal" have not yet found a place in biographical literature. Arlington, Buckingham, and Ashley have all had their "Lives" written, but Clifford and Lauderdale have so far not been yoked to the shafts. Of the quinary the last was certainly not the least, whether viewed in the light of political achievement, or judged by the possession of personal gifts. The following pages will probably show that the variety of Lauderdale's experiences as a man of affairs was not exceeded, if it was equalled, by that of any of his colleagues in the celebrated Council called the Cabal.

The late Bishop Dowden of Edinburgh, in his introduction to the Lauderdale correspondence (contained in Volume 15 of the *Scottish History Society's Publications*), says that the character of this "remarkable man is still *sub judice* at the bar of history," and that the "long prevailing" views concerning him "have beyond doubt been considerably modified in recent years." These alleged modifications have escaped my notice, but I am quite prepared to believe that the additional light which, of recent years, has been thrown upon the history of the seventeenth century, may have had the effect stated by Bishop Dowden.

As bearing upon the matter of this biography, perhaps the most important body of new evidence which has been disclosed, is contained in the *Lauderdale Papers*, selected and edited by Dr Osmund Airy, and in the State and family Papers relating to the period of the Restoration. I have made liberal use of these sources of information.

Lauderdale's name is, in our histories, almost exclusively associated with his administration of Scotland — the "King of Scotland," as he was called by contemporaries — during the reign of Charles II., and the part he played in the premature attempt — premature by ten years — to restore the Stewart dynasty, is obscurely hidden in contemporary records. Also, there is little known of his secret, but none the less real, influence in the foreign affairs of the Kingdom after the Restoration. I have tried to elucidate his pre-Restoration work, and to measure his share of responsibility in shaping the foreign policy of Charles II.

But Lauderdale's reputation as a statesman must stand or fall by his policy as the virtual Dictator of Scotland for twenty years after the Restoration. A true conception of the Covenanting troubles in Scotland suffers (it seems to me) from the violence of the prejudices which they have aroused in most writers on the subject. There has been a lack of equilibrium, probably on both sides. The historian, however, has no concern with the duties of an advocate. His duty is to ascertain, if he can, the whole of the facts and base his judgement upon them. He need not divest himself of sympathy, but he must not divest himself of candour. I have tried to observe that rule in my analysis.

It remains to say a word about the human aspect of this biography. Mainly a study of politics, civil and ecclesiastic, it aims also at being a study of a human soul. The psychological problem presented by a Lauderdale is, to me, one of extraordinary interest. A youth, eminent for his piety, ends his career as an old man with an evil reputation, which, deserved or not, will always, perhaps, stain his portrait in history. What are the processes through which character is developed? What, in Lauderdale's case, were the predetermining causes of the change in his character? The moralist and the historian alike are concerned with these questions and their answers.

W. C. MACKENZIE.

London, 1923.

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THE LIFE AND TIMES OF JOHN MAITLAND, DUKE OF LAUDERDALE

CHAPTER I

INTRODUCTORY

SCOTLAND of the seventeenth century can only be understood aright, by gauging the true value of the revolutionary epoch through which the country had passed in the sixteenth century.

About the middle of that century, new religious and social tendencies were showing themselves in the State. The burghs, and especially the trade guilds in the burghs, were growing more powerful, more enlightened, more restive under the shackles of religious dogmas that were no longer believed, and social standards that were no longer accepted. On the other hand, the Church had reached a state of decrepitude; her vigour had been sapped by wealth; her usefulness impaired by simony; and her doctrines stained by superstition. Her teachers had sunk into a condition of deplorable ignorance, and many of her ministers were leading lives of notorious vice.[1] Wealth poured into her lap by credulous or pious donors, had induced luxury; and luxury had brought forth its usual progeny.

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[1] Evidence of the truth of these statements is supplied by the Pope's Legate, Father Nicolas de Gouda, who visited Mary Queen of Scots in 1562 (*Narrative of Scottish Catholics*, pp. 75-6).

The ignorance of the priests is shown by the fact that some of them thought that the New Testament was composed by Luther (Skelton's *Maitland of Lethington*, i. p. 204).

The Church became corrupt, ineffective, and finally contemptible. The satirical poets of Scotland, from Dunbar to Lindsay and the Wedderburns, made her a target for their shafts. The poets gave literary expression to the main drift of the people's thoughts. The deadly weapon of ridicule killed whatever respect was left for Holy Church. The exaggerations of those who satirized her were readily believed by the people; by them her former glory and beneficent past were equally forgotten or ignored.

Yet the Church was not wholly corrupt. There was a sound remnant of virtue and learning, which, if wisely utilized, might have postponed the day of settlement. But the Church rushed blindly to her deserved doom. Prudence and foresight were conspicuously lacking in the policy of the prelates who ruled her destinies. They had the choice of two alternatives: reformation of themselves, or annihilation of their enemies. But for reforming themselves they had not sufficient grace; and for destroying their foes they had not sufficient energy. When the first murmurs of dissent from their doctrine and protest against their lives were heard in the sixteenth century, they sent to the stake two foreigners, James Resby, an Englishman, and a follower of Wykclif, and Paul Craw, a Bohemian, and a follower of Hus. Also, they persecuted certain Lollards, who had impregnated Ayrshire with new and startling theories in religion and politics. But when Lutheranism,[1] like a slowly advancing tide, began to spread over the land, they put forth no serious effort to check its progress, partly because they were tolerant, but chiefly because they were lazy. It is true that they burnt the ex-abbot, Patrick Hamilton, the first notable Scot to suffer for his Protestant views; they burnt George Wishart, the intrepid and scholarly mentor of John Knox; and they burnt Walter Mill, the aged ex-monk, and the last of the Protestant martyrs in Scotland. In these, and other instances, they displayed a spirit of savage repression in marked contrast to the mildness of their general policy. But force was only spasmodically employed to dam the tide of heresy, and to stop the clamant cry for reform. The hunting of heretics by the Scottish prelates, was in no way comparable to the relentless and merciless persecution that marked Romanism elsewhere in its efforts to smother advanced thought. But it would have been better for the Scottish prelates had they never grasped the nettle at all, than to have seized it with so hesitating a hand. The cruelty of the methods they employed in the isolated instances of their vengeance; the irresolution they displayed in carrying out a policy of repression to its logical issue; and the singular ineptitude manifested by their choice of victims; all contributed to hasten the downfall of their ecclesiastical system and the ruin of themselves. When, at length, they recognized the growing danger of their position, and professed themselves ready for measures of moderate reform, it was too late. The time for moderate reform was irrevocably past. The Roman Church had become an anachronism in Scotland, and was doomed to disappear.

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[1] The Lutheranism of the early reformers in Scotland was more medieval in type than the Calvinism of the later reformers.

Its disappearance brought far-reaching issues in its train. The Scotland of Mary Queen of Scots was fundamentally different from the Scotland of Mary of Lorraine. The latter, an estimable woman and a resourceful ruler, encountered perplexities during her regency that taxed to the utmost her political sagacity and her moral strength. During that period, the ultimate issue of the fight between the Reformers and the Reactionaries lay in the balance. Her death coincided with the victory of the Reformers. That victory was won mainly by the efforts of two men of widely different temperaments and attainments: John Knox, the preacher, and William Maitland, the statesman. By the dominating virility of his character and the burning eloquence of his preaching, Knox kept the fires of revolution alight. By the dexterity of his diplomacy, Maitland procured the English fuel that made the fires blaze afresh, just when the embers seemed to be expiring. Had Knox, instead of Maitland, gone to the Court of Elizabeth, not an English soldier would have crossed the Border. Had Maitland, instead of Knox, attempted to rouse the Scottish populace, not a man of the "rascal multitude" would have overturned a Popish altar. Thus, the work of the statesman was the complement of the work of the preacher; and the work of both produced the Revolution. Or, to speak more accurately, they were the agents of the forces that caused it.

Doubtless the Reformation (as the most important religious and political epoch in Scottish history is too mildly styled), would have taken place sooner or later without either Knox or Maitland. But assuredly, in that event, it would have assumed a different form from the actual occurrence. The crisis produced the men; and the men stamped their character upon their handiwork. It cannot be asserted that the Reformed religion must necessarily have been enshrined in a

Presbyterian framework. But it is certain that the basis of parity on which the Presbyterian system rests, was fundamentally akin to the democratic ideals in sociology and economics with which the people had become indoctrinated by trading contact with Continental centres of advanced thought. Socially, a condition of sturdy independence, and ecclesiastically, an equality of status, are complementary ideals; and the national life of the Scottish people since 1560 has endeavoured, with more or less success, to conform to them. One of the most important results of the Revolution was to create a genuine feeling of Nationalism in Scotland, which had previously been lacking; and this national feeling was the offspring of new ideals in the sphere of religion, wedded to new aspirations in the domain of politics.

Thus the Revolution was in truth a parting of the ways. In its accomplishment, the preacher and the statesman each had his share. But Maitland's predilections were never those of a zealot, and his temperament was out of harmony with his times. For a Revolution, a moderate man like Maitland, a man capable of seeing both sides of a question, is no fit leader. He may be useful, as Maitland was useful, in paving the way for the Revolution; but he is incapable either of directing the popular tide, or of stemming it. Maitland stepped off the stage to make way for a man endowed with greater force of character; and his later appearances were tragically suggestive of the fallen star.

It is stated by Buckle, and has since been frequently repeated, that the Scottish Revolution was accomplished during the absence of Knox from his native land. Whether Knox was physically absent or present in Scotland, his spirit was ever in his native land, and his influence was an inspiration of incalculable value to the movement for reform. When chained to the galley-oar in France, paying the penalty of his association with tyrannicides; or when officiating in England, as King Edward's select Preacher; or when engaged in liturgical disputations with Anglicans at Frankfort; or when sitting at the feet of Calvin at Geneva; at all points, he was preparing himself by discipline, by experience, and by knowledge, for the great work that lay before him; and, when, in 1555, he returned to Scotland, he returned as a skilled organizer, a trained theologian, and a fiery orator.

The nobles of Scotland were unsympathetic towards a popular movement having liberty as its goal. But they were not indifferent to the wealth of the Church, and the prospect of its diversion to themselves. They were a group of men as poor as they were proud, whose estates had been eaten up by the expense of maintaining the pomp of feudalism. Hitherto, the opposing forces in Scotland had been the Crown and the nobles, the latter generally proving the more potent, except when confronted by a masterful King like James IV. Behind both was the Church, ready to seize the bone while the temporal rivals were snarling at one another. The middle and lower classes, forming a nucleus for genuine nationalism, were now and henceforth to have a voice in the State; and under their leaders of the Reformed clergy, they were destined to play an important part in the disappearance equally of the feudalism of the nobles and the Romanism of the Church.

The presence of Knox in Scotland was quickly felt. The nobles realized that a new force was among them, capable of shaping their inchoate schemes into a national revolt; capable, too, in a measure, of diverting their selfish cupidity into a channel of pure patriotism. There could have been no real sympathy between a man like Knox, and men like the typical lords temporal of Scotland. But they were mutually serviceable in attacking a common enemy, whose spoliation was sought by both; but for different ends. For Knox desired to shatter the power and seize the wealth of the Church for the benefit of the nation; the nobles, primarily, for the benefit of a caste: their own. But the immediate object of both was identical. A common cause was thus provided by a common ground for co-operation. The nobles could not succeed in their designs without the people; and the people were as yet powerless to act without their natural leaders.

The Church knew well the danger by which she was now threatened. She knew whence was derived the increasing strength of the rising flood of popular wrath; whence the source of dissenting congregations that were springing up on all sides; and whence proceeded the trumpet-call that made polished courtiers like the Queen's bastard brother, and trained statesmen like Maitland, equally with the mass of rugged, uncultured nobles, listen with earnest attention to the new theology that made them think, and the new patriotism that made them act. John Knox was a firebrand that, in the view of the Church, would be none the worse for being thrust literally among the faggots. But Knox was not destitute of prudence; and prudence suggested flight; and flight meant the ultimate salvation of the movement through the postponement of its fruition. Knox fled to Geneva in July 1555, and his effigy (instead of himself) was burnt by an enraged Government that had been deprived of its vengeance, backed by a scandalized prelacy that had been robbed of its prey.

The movement, however, went on. The mantle of Elijah was taken up by minor prophets. During the first exile of Knox from Scotland (1547-1555), John Willock, the ex-friar of Ayrshire, and the ex-physician of Emden, greatly stimulated the cause by his high character and his sound learning. William Harlaw, an Edinburgh tradesman, showed that he could wield the Sword of the Spirit as effectively as the needle of the tailor. Erskine of Dun, a sincere convert among the barons, made the cause respectable among his fellows, who looked up to him as a man who had a reputation for learning. The Earl of Glencairn, a genuine Reformer, was the chief buckler of Protestantism in the West. But a complete break with the ancient Church was not yet in contemplation.

During the second exile of Knox, the "minor prophets" once more sustained the main burden of the cause on their shoulders, the nobles, as a body, oscillating between a desire for revolution and a stronger desire for safety. With Willock and Harlaw, co-operated at this time John Douglas, another ex-friar, and Paul Methven, another ex-tradesman. But the mainspring of the movement being absent, there was a lack of zeal among the converts. They were lulled by the soft voice of the Queen-Regent, who tried to rock them to sleep by crooning a song of toleration. Mary of Lorraine displayed at this critical period considerable tact and diplomatic skill. She knew that persecution would result in the loss of the ground she had won temporarily by the flight of Knox; and her policy was to retrieve by mildness the position the Church had lost by repression. Her diplomacy was for a time successful. Knox, waiting in Dieppe, for an opportunity of returning to Scotland, was in despair. Without the nobility, as he (and England) knew, he could do nothing; and the nobility, as a body, were lukewarm. Towards Protestantism, as a religion differing from Romanism, their attitude was still one of curiosity rather than conviction. They protested, not so much against the Roman dogmas, as against the Roman possessions. What they really wanted was, not so much a new faith as new lands. They were quite ready for a compromise.

From Dieppe, at this juncture, Knox poured forth his soul in a fiery appeal to the timid trimmers. The appeal had an instant and astounding effect; and its result shows clearly the enormous influence wielded by Knox. In the last months of 1557, a bond was drawn up: the first of the Covenants was signed; and the nobles were at last stirred to a feeling resembling Nationalism against the new-born reactionary policy of the Queen-Regent, manufactured in France by the Guises. In 1559, John Knox again reached Scotland, and his presence (the greatest asset of the Reformers), by stimulating popular enthusiasm, strengthened the hands of the nobles, and with the active assistance of England, led to the final consummation of the Scottish Revolution.

Note.—There was what is called a "Celtic" fervour about Knox's preaching that, in later times, has certainly been a conspicuous characteristic of Highland pulpits. Judging by his name, Knox was probably of Celtic origin. In the Register of the Privy Council of England his name appears as "Knock," and he himself sometimes spelt it as "Knokks," *i.e.* the plural form of "Knock." The latter seemingly belongs to the topographical category (*e.g.* Hill, Glen, Dale, etc.), the names in which originally distinguished the bearers from others having the same Christian names. "Knock" occurs frequently in Scottish and Irish topography. It is the English form of the Gaelic *Cnoc*, meaning a hill or knoll.

Knox left his mark on English Church discipline, as well as his name in the English Privy Council Register. He served the Church of England for five years (1549-1553), in Newcastle, Berwick, and in or near London, and he was the "runagate Scot" who inspired the so-called "Black Rubric" of the English Prayer-Book. He narrowly escaped being made a bishop. The Duke of Northumberland solicitously sought his appointment to the See of Rochester for two reasons: he wanted to get rid of him (and his fellow-Scots) in the North, where he was too outspoken to please His Grace; and he wished him to come South in order to "quicken and sharp the Bishop of Canterbury, whereof he hath need." Fortunately for Scotland, Knox did not take the bait.

CHAPTER II

William Maitland of Lethington, the statesman of the Scottish Reformation, was the first of his family to acquire widespread celebrity in public life. Through the tortuous ways of his diplomacy, his quick changes from one side to another, his plots to remove obstacles from his path, we can trace a fixed purpose running like a thread through a design.[1] Was that purpose the patriotic desire to serve Scotland, or the determination to satisfy the ambition of William Maitland? The question must remain unanswered if inconclusive discussion is to be avoided. But there can be no doubt of his influence whenever and wherever exerted; and for the work done by him in co-operation with the other Reformers, Scotland owes him a debt of gratitude. Long trusted by Mary Queen of Scots as her astute man of affairs, he long deserved her confidence. But a consistently faithful servant to his sovereign he was not. Yet his death in prison in 1573 (by taking poison, so it was popularly but, perhaps, erroneously reported),[2] as a whole-hearted supporter of Mary, may be held to have atoned for his lapses. His loyalty to Scotland in his diplomatic dealings with England was never under suspicion. Accustomed to clerical diplomatists, Scotland possessed in Maitland a new type of statesman, who proved himself fit, at all times, to cope with the experienced Ministers of England, and fit occasionally to beat them at their own game.

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[1] Maitland was Buchanan's "Chamæleon," and Richard Bannatyne's "Mitchell Wylie of Scotland" (by which name he meant "Machiavelli").

[2] "He died at Leith after the old Roman fashion, as was said," so writes his contemporary, Sir James Melville of Halhill.

As William Maitland was the confidential adviser of Mary Queen of Scots, so his younger brother, John, became the trusted counsellor of Queen Mary's son, the King who was the most unkingly of the Stewarts. Sir John Maitland had the same talent for statecraft as his brother. The Maitlands, although an ancient family, were ranked among the lesser barons of Scotland. Yet, when at the zenith of their power, William and John Maitland dominated the affairs of the kingdom in a way that dwarfed the influence of the greatest of Scotland's nobles. Their sovereigns ruled, and they ruled their sovereigns. The blind father of these men of affairs, Sir Richard Maitland of Lethington, was a poet;[1] his sons were eminently practical men, though one was a poet as well. Sir John Maitland cultivated the friendship of the Kirk and of the middle classes. Shrewdly he divined their growing power; he ranged himself on their side, and he acquired their confidence. Most important of all, he gained complete ascendancy over the mind of the young King, who was sagacious enough—he was a wise youth—to appraise, at their just value, the talents of the man to whose political guidance he resigned himself wholly. Maitland saw clearly that before good government could be secured for Scotland, the power of the great nobles, who regarded themselves as above the law, must be broken. In the despatches of Sir Ralph Sadler, an Englishman who knew the Scottish nobility well, the latter are described as being in a state of "beastly liberty." Their lawlessness was not the result of the Reformation; it had existed in pronounced forms long before. There was a striking contrast between the authority of the English Crown over the English nobles during the reign of Henry VIII. and Elizabeth, and the contemporary relations between the Scottish Crown and nobility. The Scottish nobles obeyed the Crown only when its mandates were in consonance with the interests of the country; or (as was more frequently the motive), when their own privileges were not adversely affected by their obedience. When James the Sixth took the reins of office in his own hands, he found himself called to the task of so adjusting the relations between his nobles and the Crown, as would enable him to rule as well as to reign.

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[1] Sir Richard Maitland had no mean opinion of the importance of his family, as may be gathered from his:

> "Quha does not know the Maitland bluid
> The best in all this land."

Sir John Maitland, afterwards Lord Maitland of Thirlestane (he was promoted from the Secretaryship to the Chancellorship), directed the movement against the nobles, and nerved the arm of James to strike shrewd blows in the cause of Reform. His advocacy of increased powers for the Crown was based upon the theory that the strengthening of those powers was bound up with the repression of crime, the administration of justice, and the economic, political, and moral welfare of the country. His teaching sank deeply into a mind that was peculiarly receptive of any doctrine which magnified monarchical privileges. In his youth James conceived a view of the royal prerogative which

Time and success served to confirm and strengthen. When Maitland advised him to measure his strength against his nobility, he may not have foreseen that the weapon he advocated for repressing the lawlessness of the nobles, would one day be used for restricting the liberties of the nation. During the reign of James, fundamental questions affecting the rights and privileges inherent in the Crown, became the subject of acute difference between the King and his Scottish people. In the reign of Charles the First, this question divided the King from his English subjects by a gulf that stretched from the cradle to the block. In the reign of Charles the Second, the same questions pressed for a final solution, which was dexterously avoided by a king who would have yielded honour itself rather than go on his travels again. The settlement came after the reign of the last, and (in some respects) the worst of the Stewart kings.

In 1595, James the Sixth lost his sagacious counsellor, Lord Maitland, and the country lost a patriot, who, in the opinion of Lord Burghley, was "the wisest man in Scotland." For years he had been, in effect, the ruler of Scotland, and his sway was, on the whole, beneficent. In the following century, his grandson and namesake, John Maitland, Duke of Lauderdale, was also the virtual ruler of Scotland for a time. His career, which we are now about to study, forms a curious pendant to the lives of his justly celebrated grandfather, and his still more famous grand-uncle, William Maitland of Lethington.

The subject of this biography was born at Lethington, on the 24th of May 1616. His father, John, Lord Maitland (created first Earl of Lauderdale in 1624), who married Isabel Seaton, second daughter of Alexander, Earl of Dunfermline, was the son and heir of Chancellor Maitland of Thirlestane. He had fifteen children, of whom only four, three sons and one daughter, survived their mother, who died in 1638. The eldest of the surviving sons was the future Duke of Lauderdale.

Early in life,[1] John, Viscount Maitland, showed a remarkable aptitude for politics. In 1640, at the age of twenty-four, he accompanied from Ripon to London, the Scots Commissioners—composed of representatives of Church and State—who were appointed to discuss terms of peace with Charles the First, after his discomfiture by the Scots army in what was known as the "Second Bishops' War."

Thus, at the threshold of his career, we find Maitland in an atmosphere of politics and religion. Throughout his long career, these two were never completely disentangled, for, in the public life of Scotland, they were inseparable. In order to provide a key to Maitland's times, it will be necessary to study briefly the evolution of Church and State in Scotland from the temporary chaos produced by the Reformation of the sixteenth century.

It has already been shown that the ferment which had been working in men's minds on the eve of the Reformation, mainly affected the middle classes, especially the dwellers in the burghs. Later, it spread below to the lower orders, and above (to a limited extent) to the aristocracy. But a large minority (perhaps an actual majority), in the country parishes, remained outside the influence of the movement, and it was many years before the full tide of the Reformation reached the more distant coasts. In some parts, Protestantism has not, to this day, ousted Romanism. The Reformed ministry was at first composed of ex-monks, or (according to the Pope's Legate) of "quite unlearned" men, "being cobblers, shoemakers, tanners or the like, while their ministrations consist merely of declamation against the Supreme Pontiff, and the holy sacrifice of the altar, the idolatry of the Mass, worship of images, and invocation of saints."[1] To which it may be fairly replied, that if these humble tradesmen were more "unlearned" than the priests whom they displaced, their state of ignorance must have been abysmal.

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[1] He was apparently educated at St Andrews University, judging by an extract from the University's Register (1631) which has been kindly sent to me by Mr Maitland Anderson, the Librarian.

The task that lay before John Knox and his colleagues, in placing their Reformed Church on a sure basis, was a heavy one. In one sense, they had to make bricks without straw. They had to construct a National Church without the cement of complete national concurrence. Knox had before his eyes the Genevan ideal. But the Church at Geneva was essentially a municipal body on a theocratic basis; and a Civic Church was unsuited to a nation. Therefore Knox had to look elsewhere for his polity, though he took his dogma mainly from Geneva. The latter was midway between the medievalism of the Lutherans and the rationalism of the Zwinglians. In the *Confession of Faith* prepared for the English congregation at Geneva (of which Knox had been the Minister) and approved of by the Church of Scotland at the beginning of the Reformation, Free-will is included with the "Masse" and "Purgatorie" as a "doctrine of devils and men." In the *Confession* authorized in 1560 by the Scottish Estates, the Calvinian doctrine of the Communion is incorporated, the "bare sign" of Zwingli, and the transubstantiation of the Roman Church, being equally condemned. The "mysticall action" mentioned in the *Confession* is substantially the doctrine of Aelfric the Grammarian of Malmesbury, six centuries previously. The *Confession of Faith* adopted by the Reformed Church of Scotland, is essentially the same as that of the Reformed Church of England in the reign of Edward the Sixth.

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[1] *Narrative of Scottish Catholics*, p. 73. The source of the evidence is of course prejudiced; probably a few individuals are made to stand for a class.

The framework of the Reformed Church of Scotland possibly came from England rather than from Geneva. In the reign of Edward the Sixth, experiments, all tending to make the Church of England more definitely Protestant, were being made; but they were interrupted by the premature death of the King. But for the early death of King Edward and of Martin Bucer, it is probable that the Church of England would have been reconstituted on a Presbyterian basis. Everything was pointing that way. The prelatic idea was in strong disfavour. Parity in the Church was acceptable even to some bishops. Bishop Poynet desired that the title of "Superintendent" should be substituted for that of Bishop. For, he explained, "Bishop simply means Superintendent." And about 1552, there were proposals afoot for dropping the title of Bishop altogether. Then came to England John Laski, a Pole of noble birth, who, with his friends, Martin Bucer, an Alsatian, and Peter Martyr, a Florentine, gave a strong impetus to the Protestant feeling. Laski, who is said to have resembled Knox in force of character, succeeded in obtaining legal recognition and an endowment for his "Church of the Strangers," consisting of nonconforming Congregations of foreigners in London, whose common ties were nationality and ultra-Protestantism.[1] The Congregations had pastors, elders, and deacons, and were disciplined by a General Church Council that met quarterly. At bottom, the polity was Presbyterian without the name, but there was a blend of Congregationalism that may have influenced future generations. Episcopacy of a kind was represented by the appointment of Laski, in the charter of 1550, as "Superintendent," a German title that meant nothing more than what the word expresses. Laski was "fixed moderator" of the General Council.

There is good reason to believe that the promotion of "the Church of the Strangers" had, as one of its objects, the provision of a model for the reorganization of the Church of England on Presbyterian lines. The accession of Queen Mary dissipated alike the foreign congregations and the schemes of reform. Laski fled to the Continent, where he died in 1560.

The year of his death was the year of the birth of the Reformed Church in Scotland. The "Church of the Strangers" was intended as a model for England, and it may have served as one for Scotland. Knox must have followed the Laskian experiment with the keenest interest, and there is no room for doubt that if he did not deliberately organize the Protestant Church in Scotland on a definitely Laskian basis, there was, at any rate, little to distinguish its framework from that of the "Church of the Strangers" in London.[1]

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[1] In 1547 there was a foreign Congregation (probably French) or the beginning of one, whose descendants still meet in the crypt of Canterbury Cathedral, but this Congregation had no legal status. Laski's Church received by Charter the revenues and freehold of the Church of Austin Friars, adjoining Old Broad Street in the City. There is a Dutch Reformed Church in Austin Friars to this day.

Compromise with some of the existing conditions became necessary, in order to preserve the infant Church from strangulation by material interests. The First Book of Discipline, drawn up in 1560, by the "Six Johns" is thoroughly informed with the spirit of democracy. Special emphasis is laid upon the necessity for the education of the people, and the care of the poor. Every parish, it is insisted, should have a school; and though it was long before this idea took effective root, it was ultimately responsible for the admirable system of elementary education that so long gave Scotland a decided advantage over England. But the Book of Discipline was not fated to become the law of the land. It was too national for the aristocracy, who were prepared quite heartily to damn the Mass, and all the other appurtenances of Knox's "currsed Papistrie," so long as neither their privileges nor their properties were interfered with. Many years before the Scottish Reformation, the commendation of the revenues of the wealthy abbeys and priories had been gradually passing into the hands of laymen. Even baby priors were not unknown. On the eve of the Reformation, this process of diverting ecclesiastical revenues into lay coffers was accelerated by the action of the hierarchy of the Old Church. Foreseeing the coming storm, and despite their own canons, they took cover by alienating, in many cases, the temporalities of the Church held in trust by them, to aristocratic laymen as private holders. The nobles of Scotland were not disposed to devote their share of the plunder to the cause of the Reformed Kirk, nor to the promotion of education, nor to the relief of the poor. What they had they would hold; they would not restore the patrimony of the Church to the uses for which it was originally intended. For Knox and his colleagues to press their views uncompromisingly on Parliament would have been futile. They had to consent to an arrangement, by virtue of which one-third of the ecclesiastical revenues was to be divided between the Crown and the Kirk.

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[1] Probably Knox was also influenced by the contemporary movement in France on Presbyterian lines. The nucleus of all Presbyterian Churches is to be found in the system worked out by François Lambert, and adopted by a Synod summoned by Philip of Hesse in 1526.

Similarly, in order to maintain the Constitution intact, Catholic Bishops were allowed to retain their seats in Parliament, and liberal provision was made for pensioning until their death, the clergy of the Old Faith. There was a gratifying atmosphere of tenderness towards the persons of the Romanists, that contrasted strongly with the fierceness with which their doctrines were assailed.

John Knox died in 1572, leaving his mantle to Andrew Melville, and Elisha proved a worthy successor of Elijah. In the same year the first parochial Presbytery in England was set up at Wandsworth, and the brand of bishops known as "tulchan"[1] was first manufactured in Scotland. It has been asserted by a distinguished historian[2] that the Church organized by Knox in Scotland was "prelatic," and that there is little proof that he regarded its prelatic constitution as a concession to contemporary needs. But what exactly does "prelatry" connote? Knox's "Bishops" were called "Superintendents," as in the German and Laskian Churches, and as recommended by some English bishops for the Church of England. Knox and his colleagues thoroughly understood the necessity for avoiding as a name of ill-omen, the use of the word "Bishop." In the *First Book of Discipline*, they showed their views of prelatry in the following forceful language:—

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[1] "Tulchan" is a Scots word meaning the stuffed skin of a calf set beside a cow as a milk-inducer. It is an apt word to describe the Protestant Bishops, who, in order to preserve the Episcopal Estate in Parliament were employed to take the places in Parliament of the Catholic Bishops as the latter died out. Their employers were the lay lords, who held the ecclesiastical properties, and paid their "tulchan" creatures small stipends to play at being bishops. (*Tulchan* appears to be ultimately derivable from a Celtic word for "hillock" or "knoll.")

[2] The late Dr Maitland.

> "It is neither the clipping of their crownes, the greasing of their fingers, nor the blowing (breathing upon candidates at ordination) of the dumb dogges (the Bishops did not preach), called the Bishops, neither the laying on of their hands, that maketh ministers of Christ Jesus."

It is difficult to conceive more pronounced anti-prelatic views than these. The authority of the Superintendents of the Reformed Church was delegated by the General Assembly of the Church, to which body they were responsible. Their duties could be undertaken by any ordinary minister. They preached. There was no Episcopal ordination. There was parity (at any rate in theory) between Superintendent and ministers. There was no prelatry unless a supervisor is a prelate.[1]

The founders of the Reformed Church in Scotland laid its bases well and surely, and left no room for doubt on questions of parity and discipline. Probably John Knox cared not a bodle whether an official of the Church was called a Bishop, or a Superintendent, or a Presbyter, or a Priest, or an Elder, so long as it was clearly understood that, as Tyndale put it in his *Practice of Prelates*, these were simply Greek and English names for the same officer (with his functions differentiated); and that the title of "Bishop" carried with it no implication of Apostolical Succession or sacerdotalism. From Jerome, who declared in the fourth century that "a Presbyter is the same as a Bishop," to Gratian and Peter Lombard in the twelfth century; and from them to Wyclif and Tyndale among the early Reformers in England, there was always a body of opinion opposed to prelatic claims. A threefold Ministry of Doctrine, Discipline, and Distribution was recognized alike by Calvin and Knox; and the Churches of Geneva and Scotland were organized on that basis. In liturgical matters, Knox bequeathed to the Scottish Church the *Book of Common Order*, which, in conjunction with English colleagues, he had prepared for his English congregation in Geneva. In succession to the second Prayer-Book of Edward the Sixth, it held its place (as a guide) until 1637, when it was superseded by "Laud's Liturgy"; and finally, as the result of a growing repugnance for liturgical observances, both books were abolished (in Edinburgh), by an injunction which required the Ministers to use only those extempore prayers they had been accustomed to make, before and after their sermons.[1]

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[1] "Knox hated Prelacy nearly as much as he hated Popery," says Mr Skelton in his *Maitland of Lethington* (ii. 16).

Andrew Melville was the ecclesiastical statesman who gave the Church in Scotland its final Presbyterian form, with its machinery of Kirk Sessions,

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[1] In 1640, set forms of prayer were for the first time regarded as "not spritwall eneuch," and the *Book of Common Order* commenced to fall into disuse (see *The Diocese and Presbytery of Dunkeld* on the Ritual of the Church, pp. 60-5). *The Directory of Public Worship*, approved by the General Assembly in 1645, took the place of the *Book of Common Order*.

Presbyteries, Synods, and General Assemblies. And the General Assemblies of the Kirk became the true Parliament of the nation. This fact must be grasped firmly if the civil and religious history of Scotland from the signing of the National Covenant in 1638 to the Revolution in 1688—exactly half a century—is to be read aright. It was only in the General Assembly that the voice of the nation could be adequately heard. For the greater part of these fifty years, the Estates were under the thumb of the Crown, or were the creatures of the Crown. But in the Kirk Assemblies, where the lay element was always considerable, the liberties of the nation were jealously guarded from the encroachments of the Crown. Equally by outspoken word and by energetic action, these intrepid, if intolerant, Church Parliaments battled unceasingly (until they were silenced by Cromwell) for what they held to be the civil and religious well-being of the people, whose sole protectors they were against aggression. The tenderness of the Reformed Kirk for the lower orders is expressed in the *First Book of Discipline*, where attention is directed to the oppression of the "poore brethren, the labourers and manurers of the ground by these cruel beastes the Papists"; while the *Confession of Faith* makes it obligatory "to represse tyrannie," and "to defend the oppressed." Throughout the history of the Kirk, her attitude towards the lower orders was consistently sympathetic.

The *Second Book of Discipline* (attributed to Andrew Melville), was produced in 1581, and in the same year, Scotland was divided into Presbyteries. Some of the Canons of the Second Book, relating to the functions of Church Courts, were inserted in an Act of Parliament in 1592. The *Second Book of Discipline* was the complement of the First. It was concerned mainly with "redding the marches" between Church and State. That was a Melvillian task which was performed, in theory, with conspicuous ability. Yet, in practice, it proved to be hedged with veritable thorns. The formation of Presbyteries coincided with a declaration against Episcopacy. The "tulchan" bishops remained, but they were under the authority of the General Assembly; and they gradually disappeared. But James the Sixth of Scotland commenced the restoration of Episcopacy by appointing three Bishops before he crossed the Border, and James the First of England completed the Episcopal edifice.

King James and the Scots Presbyterians, led by the two Melvilles, who detested Bishops, failed to find a common ground of agreement. To James, with his notions of the royal prerogative, Andrew Melville's declaration that there were "twa Kings in Scotland, twa Kingdoms, and twa Jurisdictions," was profoundly distasteful; nor was he better pleased with James Melville's contemptuous allusion to "the goucked gloriosity of the Bishops." Andrew Melville's description, at Whitehall, of Bancroft's vestments as "Romish rags" was in keeping with his plain speaking at the Hampton Court Conferences, where the English audiences were astounded to hear the King "so talkit to and reassounit with." Truly, these Scottish Reformers—Knox and the Melvilles, and some of their successors—feared the face of no man, King or Bishop. It was James the Sixth of Scotland who extolled Presbytery at the expense of Episcopacy, and who scrupled not to revile the English Prayer-

Book.[1] It was the same James, but now James the First of England, who declared that "Presbyterianism agreeth as well with monarchy as God and the devil." Also, James had shrewdly perceived that Bishops were the best buttresses he could have, for the defence of the legacy of absolute power left to him by the Tudors. "No Bishop, no King" was an aphorism that expressed his alliance with the Episcopal bench. It was at the beginning of the seventeenth century that permanent issues between the Crown and the Church of Scotland, which were to continue until the Stewarts were driven from the Throne, began to shape themselves with distinctness. The controversies of a large part of the next fifty years centred upon the limits to be placed on the King's prerogative. Was the King to be subject to the laws, or was he to be above all law? Was he to be obeyed blindly, or only if his commands were lawful? Was he to be the governor of men's consciences as well as of their persons? Was he to control, or be controlled by, the religion of his people? These were questions that had already been answered by George Buchanan, the old tutor of King James. They could only be answered in one way by the heirs of Knox and the Melvilles.

James, still a Calvinist, though now an Episcopalian, revelled in theological disputes. He was a witty, though a wordy man; and a shrewd, though a feckless King. During his reign, and that of his predecessor, the prevailing dogma, even among those Bishops who persecuted the Puritans, (*e.g.* Whitgift), was Calvinian, and the bent of the Puritans was in a Presbyterian direction. That bent received a strong stimulus from the teaching of Thomas Cartright, the Cambridge professor who got the better of Whitgift in controversy, but who had to transfer his abilities to countries where they were better appreciated than in England. Presbyterianism in England, throughout the reigns of James the First and Charles the First, and at the outbreak of the Civil War, thoroughly permeated London, which, with Lancashire, remained the great stronghold of the Presbyterian persuasion after it had been obliterated in the rest of the country. The Calvinian dogma in England gradually lost its hold on all but the Puritans, especially after Laud had reached the Chair of Canterbury. But while Arminianism spread in England, Scotland was faithful to its Calvinism, and has so remained, though in a modified degree, to the present day. The Scots, like the French, are a logical people; and a logical system, whether of theology or philosophy, has always had its attractions for them.

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[1] James, when in Scotland, described the Presbyterian system as "the sincerest (purest) Kirk in the world." The English Prayer-Book was "an ill-said mass." The order of Anglican bishops "smelled vilely of Popish pride" and their copes and ceremonies were "badges of Popery." Well did Andrew Melville describe James as "God's silly vassal." ("Silly," of course, means "poor," used as a term of compassion.)

Charles the First, born a Scot, and baptized a Presbyterian,[1] did not long remain either a predestinarian in doctrine, or a Puritan in ritual. On the contrary, he became the devoted son of a Church purged partially of Puritanism and Calvinism, and ruled by men like Bancroft, who was the first in England to proclaim the Divine Right of Bishops, and priests like Laud, who was the first to elevate ritual to the dignity of a dogma. Firmly clinging to the belief that underlay his father's aphorism,

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[1] "This Kirk where his Majestie had both his birth and baptisme" *Acts of Parliament of Scotland*, V. p. 276).

"No Bishop, no King," Charles magnified the Episcopal office as a shield to the Throne. He realized that the high schemes of the Crown and of Episcopacy must stand or fall together; that mutual support was therefore essential; and that uniformity of ritual and doctrine must be secured in the Church to place King and Bishop in unchallenged and unchallengeable security. Completely sincere in his attachment to Episcopacy, as understood by Bancroft and Laud, he paid the penalty ultimately of his devotion to the principles that they inculcated.

In Laud, Charles found a Bishop after his own heart to further his views, and Laud found a King after his own heart to promote his high Episcopal pretensions. After he had reached the Chair of Canterbury, Laud soon shaped the Church of England in a Ritualistic mould; and his success encouraged him to meddle with the affairs of the Church of Scotland as well. He, himself, protests that he was far from being the "chief incendiary" in the Scottish business; and that all he did was to give his "best counsel" to the Scottish Bishops, and his "best assistance" to the King.[1] The Scottish troubles, according to him, were caused, not by the attempt to foist Anglican ritual and liturgy upon the people, but by "temporal discontents and several ambitions of the great men, which had been long aworking," and that "religion was called in upon the bye to gain the clergy and by them the multitude."

Beyond doubt, the main cause of the unrest in Scotland was the policy of Charles in magnifying the influence of the Bishops and minifying that of the nobles. The latter were incensed by the revocation of all post-Reformation gifts of Church lands and tithes. Although subsequently modified to apply only to the Crown's share of the spoil (afterwards parcelled out among the nobles), and although finally withdrawn in consideration of the payment to the Crown of rent, this revocation left a legacy of ill-feeling on the part of the nobility towards the King, that proved of great disservice to his cause in later years. The avowed aim of Charles in these proceedings was entirely just, in so far as it sought to restore to the Church a larger share of the revenues that were originally in her possession. His father had found it necessary, for the support of the Church, to supplement her scanty income with a share of the tithes; and Charles was now enabled, from the increased revenue of the Crown, to reserve for the use of the Church, the whole of the teind, valued at one-fifth of the rent.

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[1] *The Works of Laud*, III. p. 304.

The King's obvious intention to exalt the Church at the expense of the nobility, was shown, further, by his attitude towards the machinery of Parliamentary legislation. The "Articles" were so powerful an instrument of control, that any changes in the balance of their constitution were bound to be viewed with alarm. In the days of the Regent Morton, who established the "tulchan" Bishops, these dignitaries, although still one of the Estates of the Realm, were politically impotent. Charles aimed at restoring their successors to the privileges in Parliament that the Prelates had previously enjoyed, with the Archbishop of St Andrews, the Primate of Scotland, ranking on ceremonial occasions before the Chancellor of Scotland. The effect of the changes wrought by Charles in the constitution of the Articles was to make the Bishops the King's humble servants, as a matter of course, and the nobles whom the Bishops nominated on the Articles were certain to be, at least, Episcopal well-wishers, if they were not the Bishops' tools. Laud notes the "clamour against the Bishops' power in choosing the Lords of the Articles," and asserts that "they had that power by the fundamental laws of the Kingdom."[1] The summary of the history of the Articles given below, shows how far that assertion accorded with the facts.[2]

Thus, at the time that Charles tried to thrust what is known (not altogether accurately), as "Laud's Liturgy" upon the people of Scotland, he had to encounter a triple wall of national opposition. The nobles disliked the Bishops, because they encroached upon their revenues and their privileges; the middle classes because they feared the growth of their power in Church and State alike; and the lower classes because they were apprehensive of the country being tossed from the horns of the mitre right back into the lap of the "Scarlet Woman."

The new Service-Book was regarded by all classes in Scotland as the final link in the chain that was designed to bind the Kirk to the domination of the Bishops, and men's consciences to the supremacy of the King. Its imposition on the country was hotly resented. The mere fact that it was believed to have been hatched in England was sufficient to arouse national feeling, and to make its acceptance impossible. It was the culminating act in a series of measures, beginning with the irritating Book of Canons[1] issued by the King, all tending in the same direction. But in the teeth of the national opposition, Charles persisted in the folly of thrusting his Prayer-Book on a people who were equally determined to have nothing whatever to do with it. The results were first a deadlock, and then the National Covenant of 1638.

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[1] *The Works of Laud*, III. p. 299. About this time the King had created a Bishopric of Edinburgh, and the "Great Church of St Giles" was being made into a Cathedral. (Laud's *Works*, III. p. 315.)

[2] See note on the Articles at the end of this chapter.

This was neither the first nor the last of the Scottish Covenants. But why "Covenant"? The word, as applied to an agreement, or a bond, is of illuminating significance. John Knox had a good deal in common with the Hebrew prophets. He resembled them in his fearless outspokenness, in his passion for righteousness, and in his sense of direct responsibility to God. He shared with his master, Calvin, the view that clergy and magistrates alike were the ministers of God, appointed to do His Will, and that every office in Church and State alike was consequently sacred. These views entered into the core of the teaching of the Reformed Kirk, and coloured the Scottish view of religion for generations.[2] Therefore, the Old Testament atmosphere in which the people lived, naturally produced Old Testament phrasing when a high purpose of national importance had to be achieved. A "Covenant with God" possessed a significance and force that no national undertaking, however binding, could possibly have secured. And a "National" Covenant superadded the element of patriotism to that of religion. This explains the devotion of the Scots to their "Covenants"; the religious and national meaning inherent in them; the desperate tenacity with which the people clung to them; and the fearless intrepidity with which they died for them.

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[1] The Canons were printed in Aberdeen in 1636, with the King's authority. One of the Canons (with which all laymen will sympathize), ordained that "preachers in their sermons and prayers eschew tediousness." Another forbids *extempore* prayers. Children were to be taught according to *Deux et Rex*. (Laud's *Works*, V. pp. 589, 597-8.)

[2] The Scottish Covenants, too, were national, as were those of the Jews, thus providing another link with the Biblical prototypes.

The opposition to the new Canons and the new Liturgy resulted in welding together the different classes of the Scottish people into national unity, based on a common danger. This unity was based, too, on a common resolve: to fight, if need be, in defence of civil and religious liberties. The Covenant stirred emotions of unexpected depths that were unflinchingly Protestant, uncompromisingly anti-Prelatic, and withal, passionately National. And yet in a sense, the movement was not national, for it did not embrace the Highlands. The reaction against Prelacy had barely touched the North, and a few years later, Highland Catholics and Lowland Covenanters were at one another's throats. But the Highlands, separated from the Lowlands by barriers of language and habits, no less than by hills and forests, were still, in a real sense, outside the orbit of Scottish nationality.

The National Covenant (of which Archibald Johnstone, afterwards Lord Warriston, and Sir Thomas Hope, the King's Advocate, were the principal authors),[1] was supplemented by the action of a General Assembly at Glasgow, under the moderatorship of Alexander Henderson, the greatest Scottish Churchman of his time, and an opponent for whom Laud had the highest respect. Episcopacy was declared to be abolished, and the Bishops deposed; the irritating Canons and the obnoxious Liturgy, the Court of High Commission, and what were known as the Five Articles of Perth[1] were all uncompromisingly condemned. Thus the King was plainly defied. He took up the challenge, and entered upon "The First Bishops' War" in 1639.[2]

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[1] Alexander Henderson is also believed to have had a hand in drafting it.

The Covenanters found valuable military material in numerous Scottish soldiers home from the Wars in Germany. These men had fought under Gustavus Adolphus, in whose service, too, the Covenanting General, Field-Marshal Alexander Leslie, "the crooked auld carle," had won distinction. The Covenanters were inspired by enthusiasm. The King could find neither money nor enthusiasm in England, where the essential oneness of the national cause in both countries was fully recognized. Charles had perforce to give way. But the truce was of short duration: and in 1640 the Second Bishops' War broke out. The Scots crossed the Border and drove before them the King's troops, who had no heart in their work. Charles was again compelled to treat, and negotiations were opened at Ripon.

Meanwhile things had moved quickly in England. The opportunity provided by the presence of the Scots army on English soil for the assertion of popular rights in England, was not neglected. The King summoned the Long Parliament. He soon discovered that he had less to hope from it than from the Short Parliament. The Commissioners from the Scots army were welcomed by the

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[1] These dealt with: (1) Kneeling at the Sacrament; (2) The private administration of the Communion; (3) Baptism; (4) Confirmation of the Bishops; (5) The observance of Church festivals.

[2] In that year (1639) the Scots were in close communication with Richelieu, and certain Scots lords addressed a letter to Louis direct. The French were fishing in drumly waters. It was their usual method of embarrassing England. In 1637, Richelieu sent a priest named Chamberlain to Edinburgh to stir up trouble.

Parliament, when the negotiations with the King were transferred to London from Ripon.

We have now viewed the circumstances under which John Maitland made his first appearance on the stage of public life, at the close of 1640; and we have seen the forces that were at work in Scotland during a period of three-quarters of a century, moulding the national life into the shape in which we find it, just before the middle of the seventeenth century.

NOTE ON THE "ARTICLES."

The germ of the idea that subsequently fructified in the institution of the Parliamentary Committee, known as the "Lords of the Articles," appears in the proceedings of the Parliament that was held at Perth in February 1369. It was then ordained that a Committee be appointed by Parliament to deliberate upon certain affairs of the King and the Kingdom, *previous* to their being brought before the whole Parliament.

The first specific mention of the Lords of the Articles, as such, appears in the records of the Parliament of 1467, when three representatives of each of the Three Estates were chosen to serve on the Articles, or Parliamentary Bills. The Three Ancient Estates — whose representatives in the Scottish Parliament all sat together in one House —were the Church (represented by the Bishops, the mitred Abbots, and the Priors), the Baronage (the great nobles and the gentry), and the Burghs (represented by their Provosts or other burgesses). Representation in Parliament was not always regarded as a privilege. On the contrary, it was frequently regarded as a hardship, owing to the expense which it entailed. Thus the gentry (the "lairds") in the reign of James the First (of Scotland), obtained leave to attend by proxy, and in course of time, they disappeared altogether from Parliamentary life. They re-appeared in the reign of James the Sixth, on the elimination of the mitred Abbots; and in 1587, they found, as "Commissioners of the Shires," separate representation on the Articles; they were to have the same number on that Committee as the Burghs. Thus, the Lords of the Articles came to consist of prelates, noblemen, barons (so called to distinguish the lairds from the great nobles[1]), and burgesses. In 1640, when the Church as a separate Parliamentary Estate was abolished, the "trewe Estates of this Kingdom" were declared to be noblemen, barons, and burgesses.

The number of members acting on the Articles varied considerably from time to time. Originally, apparently, three from each of the Three Estates, the number showed a complete absence of uniformity until 1587, when it was ordained that not fewer than six, nor more than ten, from each Estate, should be elected. Thereafter, the correct number from each Estate seems to have been tacitly accepted as eight, with an additional eight who were Crown officers nominated by the King.

Inferentially, it seems clear that, originally, each Estate chose its own representatives on the Articles. But in the Parliament of 1524, the temporal lords chose the six spiritual lords. And Randolph, Queen Elizabeth's Minister in Scotland, thus describes the mode of election in 1560:—

"The Lords Spiritual choose the Temporal, and the Temporal the Spiritual; the Burgesses their own."

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[1] Nobles, Lairds, and Burghs all held in baronage from the Crown; the Burghs as a community.

In the Parliament of 1633, eight of the clergy were elected on the Articles by the nobility; eight of the nobility by the clergy; eight of the barons, and eight of the burgesses by the sixteen bishops and nobles; and eight officers of the Crown were nominated by the King. In the Parliament of 1639 (there being no longer a "Spiritual" Estate), eight noblemen and four officers of State were nominated by the King's Commissioner, the Earl of Traquair, to serve on the Articles; and eight barons and eight burgesses were then elected by the nobles.[1]

In 1640, Parliament was empowered to choose Lords of the Articles, or not, as might be decided. If they were chosen, each Estate was to elect its own Commissioners; and the Committee were to deal with matters already discussed by Parliament, and remitted to the Committee for report. The practice actually followed after 1640, was for each Estate to elect its own representatives on the Articles. The same Parliament (or Convention) of 1640 repealed an Act passed in 1594, ordaining that a Committee consisting of four from each Estate should meet twenty days before Parliament was opened, to consider articles previously sent in to the Clerk of Register, "so that things reasonable and necessary may be presented in a book to the Lords of the Articles at the meeting of Parliament." Also, by this Act of 1594 (repealed in 1640), power was reserved to the King to present Articles at any time.

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[1] Protests were lodged against this method of election as forming a bad precedent. It was this Parliament that confirmed the revolutionary proceedings of the Church Assembly at Glasgow. The Acts legalizing the Assembly's resolutions were not ratified until 1641, when, in the month of August, the King visited Edinburgh.

In 1661, when the election to the Articles took place, the nobility retired to the Inner House; the barons stayed in the Parliament House; and the burgesses went to the room of the King's Commissioner. Each body chose twelve of its own number, and presented them to the Commissioner. In 1662, Bishops were restored to representation on the Articles. In 1663, the procedure adopted by the Parliament of 1633 was followed exactly, and from that date, the same composition of the Articles, and method of election continued in force until 1689, when the whole system was declared to be a national grievance. Finally, in 1690, the Act of 1663 was rescinded; and it was enacted that an equal number from each Estate be chosen to serve on the Articles, each by its own Estate; that Parliament be at liberty to legislate without the intervention of a Committee; and that the King could appoint Officers of State to be present without a vote. And that was the last change made before the Union of the Parliaments in 1707.[1]

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[1] These particulars have been obtained from the *Acts of Parliament of Scotland*.

CHAPTER III

On the 20th November 1640, the King informed the House of Lords that the Scots Commissioners had arrived in London. The chief lay Commissioners were the Earl of Rothes and John Campbell, Lord Loudoun.[1] Lord Maitland was probably one of the official Commissioners; at any rate he was in their company.[2] The Commissioners had their headquarters in Worcester House in the City, and the neighbouring church of St Antholin's was set apart for the use of their ministers, who included Alexander Henderson. There was a way out of Worcester House to the gallery of St Antholin's "near London Stone." According to Clarendon (an unfriendly critic), "from the first appearance of the day in the morning on every Sunday, to the shutting in of the light, the church was never empty."[3]

The Commissioners had an easy task. Fortified by the moral backing of the majority of the members of the House of Commons, and with a victorious army in the North, able and ready to enforce their demands, they compelled the King to submit to their terms. They required the King to recall his minatory proclamations; to place the Scottish fortresses at the disposal of the Scottish

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[1] Clarendon's *History of the Rebellion*, B. III. 37.

[2] *Letters and Journals of Robert Baillie*, I. p. 473.

[3] *History*, B. III. 37. St Antholin's was destroyed in the Great Fire of 1666. It was rebuilt by Wren in 1677. The building was taken down in 1875. It stood at the corner of Sise Lane and Budge Row.

Parliament; to pay all the expenses of the war; and to punish those, who by their evil counsels, had advised the King to embark upon hostilities.

The importance of the Scottish success to the Liberal Party in the House of Commons can hardly be over-estimated. It enabled Pym and his followers to press for, and obtain, concessions that would otherwise have been impossible of realization without an open rupture. It enabled them to procure the abolition of the Star Chamber, the High Commission, ship-money, tonnage and poundage (except by Parliamentary consent); and to pass a Bill that secured the election of a Parliament at least once in three years. On 11th November Strafford was impeached; afterwards Laud was sent to the Tower; and Charles found himself suddenly stripped of his machinery for oppression, and deprived of the men who worked it.

On 3rd February 1641, the House of Commons voted £300,000 towards "the losses and necessities of our Brethren of Scotland," a handsome sum, but by no means an over-valuation of the services to English reform rendered by the Scots. The affectionate language of the Commons was a source of gratification to the Commissioners, who returned thanks "for the style of Brethren given them in the vote of the House." It was not, however, until July that the work taken in hand by Pym and his supporters was finished, and it was not until August that the money owing to the Scots was paid, and the army returned home.[1]

The Church question in England was settled after the civil reforms had been wrested from the King. Clearly, changes in a Puritan direction could not be carried out so long as Laudian bishops remained in power. There was a moderate party in the House of Commons, headed by Lucius Cary, Lord Falkland, which desired not the abolition of prelacy, but the restriction of its privileges. But the friends of compromise were found to be in the minority, and finally the Bishops had to go. Charles did not yet confess himself beaten. He had realized what a faithful friend and a powerful enemy Scotland could be. Why not secure the interest of his native country in support of a Royal Stewart? To Scotland therefore he went, even before the Scots army had left England. He reached Edinburgh on 14th August 1641.

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[1] In August 1641, Lord Maitland was instructed by the Estates sitting in Edinburgh, on the question of the disbanding of the "English" army and the garrisons of Berwick and Carlisle. He was told to stay at York until the army was disbanded. (*Acts of Parliament of Scotland*, V. pp. 346-7.)

It was a fruitless journey. The Scots were suspicious, as they had good reason to be. In vain did Charles distribute his favours. In vain did he make Alexander Leslie Earl of Leven, and give Earldoms, also, to Lords Loudoun and Lindsay. And equally in vain did he seek first to cow, and then to conciliate with a Marquisate, the powerful Earl of Argyll.[1]

Argyll, or to give him his Highland patronymic, MacCailin Mór (son of great Colin), was not only the chief of the Clan Campbell: he was also the indisputable master of the Scottish Estates. And if Argyll dominated the Scottish Parliament, the Kirk dominated Argyll. It was Argyll's misfortune to be a contemporary, and a rival for power, of the most romantic figure in Scottish history:

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[1] "It would pity any man's heart," writes Sir Patrick Wemyss to Ormonde, "to see how he (the King) looks, for he is never at quiet amongst them, and glad he is when he sees any man that he thinks loves him, yet he is seeming merry at meat. Henderson is greater with him than ever Canterbury (Laud) was. He is never from him night nor day." (Carte, I. p. 4.)

James Graham, Earl (subsequently Marquis) of Montrose. The Chief of the Campbells and the Graham were unevenly matched. Born into the greatest family of the West Highlands, Argyll possessed advantages for acquiring political predominance that Montrose never enjoyed. The Grahams lacked the national prestige of the Campbells. Montrose spent his most formative years out of Scotland, what time Argyll was preparing the ground for consolidating his power. Argyll was plainly a sincere Presbyterian; and a profession, at least, of Presbyterianism was essential for success in Scottish political life. Montrose was a fervent and enthusiastic Covenanter; but his fervency was reserved for the National Covenant, and his enthusiasm was reserved for the sacred cause of Scottish liberty. Bishops, as he declared at the end of his career, he never cared for, but to Presbyterianism, as a system of Church government, he was equally indifferent. Thus, in a contest between Argyll and Montrose for political power, Argyll was bound to win.

Argyll appears before us in history as a crafty man, with a mind like a dungeon for darkness and depth. Unlike most of his forebears and successors, he was unwarlike by temperament. His place was in the council chamber, not in the field. And as a councillor in the most distracted period of Scottish history, he guided his country's destinies, if not always wisely, at any rate patriotically. Having put his hand to the Covenanting plough, he never turned back. At a time when consistency in politicians was rare, he remained true to his principles. But his statesmanship lacked foresight and courage, and was consequently not statesmanship of the highest order. He was constitutionally cautious, and inclined to play for safety ; the safety, it should in fairness be added, not merely of himself personally, but of his country as well. It was a policy that broke down at a time of crisis, and in the result, brought Scotland under the heel of Cromwell, and Argyll himself to the block.

"A gloomy, unattractive fanatic." Such is the popular, but mistaken, portrait that history has drawn of this remarkable chief of Clan Diarmid. No greater contrast can be imagined than the popular picture of Montrose. Flawless his character was not, and it was well, lest weaker men should despair. His breach with the Covenanters was perhaps not uninfluenced by his jealousy of Argyll, for his ambition could brook no rival. When a Covenanter, his treachery towards Huntly was a blot on his escutcheon. When a Royalist, his tacit acquiescence in the Irish barbarities towards the inhabitants of Aberdeen was a disgrace alike to his nationality and his humanity.[1] And at one time, after going over to the King, he looked like changing sides once more (though some historians assign other reasons for his apparent hesitancy). Yet, in spite of these smudges on his fair fame (which his apologists strive, with small success, to remove), the character of Montrose remains the most fascinating that Scotland has yet given the world. His countrymen, and some who are not his countrymen, have used up all the available adjectives to express their sense of his greatness and goodness. Truly, he was a gallant gentleman, who had few lapses, and a magnificent soldier who made few mistakes. As a diplomatist, he was not remarkably successful, and when he engaged in political intrigue (as witness his attempt to sweep Argyll out of his path by the Cumbernauld Bond, and in the affair called *The Incident*) he was not particularly happy. The tragedy of Montrose's life was that he served a King who was always too late. That was the overmastering weakness of Charles the First in granting reforms; it was the crushing misfortune of his servant Montrose in winning victories. His brilliant campaign at the head of his Highlanders was terribly futile. He drenched Scotland in the blood of her sons when she needed every drop for her own vitality. He weakened her, and disunited her, when she needed every ounce of her national strength. And all to no purpose. The campaign ruined the cause of the Covenanters, but it did not save King Charles from the scaffold; on the contrary it helped to hasten the end. It was a unique effort, but it failed to make any perceptible change in the current of history. Montrose gained glory and imperishable renown; his Highlanders obtained booty and revenge; but as a nation, Scotland suffered grievous loss, unrelieved by any tangible benefits. And perhaps the greatest loss was the loss of Montrose's military genius in the service of his country, when Scotland, with her back to the wall, was struggling against Cromwell, whose only peer, in either nation, as a soldier, was the great Marquis. Montrose's victories were Scotland's tragedies.

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[1] Even the gentle Bishop Leighton alludes to Montrose as "the sword of a cruel enemy." The Irish were regarded with horror by the Scots Presbyterians as the Papists who had massacred their co-religionists in Ireland.

With these two men, Argyll and Montrose, the life of Maitland was closely bound up during the first ten years of his public career. His first important mission was in the *rôle* of a peacemaker. The General Assembly of the Kirk, held at St Andrews in July 1642, drew up a supplication to the King for peace, based upon uniformity of Church Government in the three Kingdoms; and it was also desired to obtain the assent of Charles to a Parliament and an Assembly. In addition, a reply was prepared to a communication which had been received from the English Parliament. This reply concurred heartily in the Parliament's views about Bishops, and expressed a desire for a common Confession of Faith, Catechism, and Directory for Public Worship.

The Assembly charged Maitland with the duty of bringing these messages to the King and the English Parliament. Like his father, the Earl of Lauderdale, Maitland was an Elder of the Kirk, and both took an active part in the proceedings of the Assembly of 1642. The selection of so young a man as Maitland for such an important errand, clearly shows the confidence reposed by the Assembly in his integrity and diplomatic skill.

This evidence of the high esteem in which he was held on the threshold of his public career at once confronts us with the question: "Was he a hypocrite from the very commencement of his public career, or was he (in very truth) what the late Mr Andrew Lang called 'the pious Lord Maitland' and 'the godly Lord Maitland'?" Mr Lang forgot his sneer in a later part of his *History*, and declared that Maitland was a "religious fanatic in his youth"; which can only mean that, in Mr Lang's belief, Maitland was a convinced Covenanter in his early days.[1]

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[1] *History of Scotland*, III. pp. 105, 111 and 293. As a pendant to Mr Lang's views expressed in the text, the opinion (noticed later) of Dr Airy, that Maitland was a conscious hypocrite from the beginning of his career, is not without interest.

These adverse views of the character of Maitland in his youth

The present writer cannot pretend to judge whether or not Maitland, at the age of twenty-seven, was a "godly youth," or a clever schemer. But it can be asserted with confidence, that there is nothing in his actions which is in the least inconsistent with the assumption that when he entered public life, he was completely sincere in his religious beliefs, and wholly honest in his political motives; and his attachment to the Covenant was proved on more than one occasion. Of his political ability there was never any doubt, and it will be seen later on, that the proofs of his exceptional talent are neither few nor inconspicuous.

The General Assembly's petition to the King was, of course, fruitless. But Maitland's mission to the English Parliament was successful. He brought back to Scotland, a message charged with goodwill and cordial acquiescence in the Assembly's desire for a common statement of faith and discipline. A hearty invitation was given to the Kirk to send delegates to the Westminster Assembly of Divines, which was to meet on 5th November, for the purpose of preparing a creed and a directory of worship. The General Assembly chose five ministers, Alexander Henderson, Robert Douglas, George Gillespie, all of Edinburgh, Samuel Rutherford of St Andrews, and Robert Baillie of Glasgow, and three "ruling elders," John, Earl of Cassillis, John, Lord Maitland, and Sir Archibald Johnstone (who had been knighted by Charles) to represent the Kirk at the Westminster Assembly (which did not meet until 1st July 1643).

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receive not the faintest support from contemporary sources. On the contrary, his intimates were in accord in acclaiming his pious zeal. It was not Baillie alone—as a minister he might have been too indulgent in his opinion—who praised him. Lord Balcarres, a nobleman like himself, expressed on his death-bed his "joyful assurance," in 1659, that Maitland would "go to the Saints."

Meanwhile the quarrel between the King and the English Parliament was quickly passing beyond the possibility of repair. The Irish massacres, and the suspicious wooing of Scotland by Charles, had made the House of Commons restive. The Grand Remonstrance was an attempt to prolong the discussion of an accommodation; but there was little hope of a permanent settlement. The crisis was precipitated by the attempted seizure of the Five members, a fatal blunder on the part of Charles, from the effect of which his cause never recovered. When the King's Standard was unfurled in August 1642, both sides prepared for a grim struggle.

The first stage of the Civil War was watched with tense interest in Scotland. The sympathies of the Scots, as a nation, were on the side of the Parliament. Yet the national sentiment for the Scottish dynasty of the Stewarts, and for a King who was born a Scotsman, was a corrective factor of some weight. Early in 1643 the influence of the Kirk was exercised on the side of peace. Commissioners were sent to the King at Oxford; but the errand was fruitless.[1] With, or without, the King's consent, the Estates were resolved to meet in June. The Duke of Hamilton recommended Charles to offer no opposition to the proposal to hold a Convention. The Duke was entrusted by the King to watch over his interests in Scotland. At the Convention he endeavoured, in conjunction with the Earl of Traquair, to soothe the Estates with soft words from Charles. But the Estates, backed by the clergy, were in no mood for lullabies; rather were they in a mood for slogans. Hamilton proved himself a weak champion of the Crown. He, himself, was a possible claimant for the Scottish Throne; yet there is no evidence that this possibility reacted upon his enthusiasm for the cause of Charles. The truth is, that he was a victim of his character, which was naturally that of a trimmer. He agreed partly with both sides; and he tried to have a foot in each camp. In the effort to achieve this straddle, he fell.

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[1] The King tried to make use of the Commissioners by inciting them against Argyll.

When there was still some doubt of Scotland's ultimate attitude towards the War, it was settled by the action of the English Parliament. Things were going badly for the Parliament. Scottish assistance was urgently needed. On what terms would Scotland give her help?

Argyll and his colleagues knew well the precise value of a Scottish army to the Parliamentary party in their pressing need. They knew well that their cause, and the Parliament's cause were, at bottom, identical. They knew well that if the English Parliament were crushed to-day, the Scottish Estates would be crushed to-morrow: and the Presbyterian Kirk would be crushed the day after to-morrow. Therefore, when the Parliament sent a deputation to Edinburgh, inviting the brotherly help of the Scots, the reception accorded to the invitation was completely reassuring. The outcome of the negotiations was embodied in the Solemn League and Covenant.

The Constitutional alterations since 1638, alike in Church and State, showed the changed temper of the upper and middle classes in Scotland towards the Royal prerogative. That temper made itself felt in the treaty that was now formed between the Estates, in conjunction with the Kirk, and the English Parliament. It was a treaty that covered both the civil and religious ground of trouble between Charles and the House of Commons. In the discussions that preceded the treaty, allusions were made to the temporary alliance between Queen Elizabeth and the Scottish Reformers in the sixteenth century, when each country was serviceable to the other, but particularly England to Scotland. Some of the Convention recalled these circumstances, and remarked that "it was but justice that they should now repay them with like assistance."[1]

The Solemn League and Covenant contained six clauses, of which four related to civil affairs, and two to matters of religion. The civil clauses[2] bound the two countries to mutual support in matters of State, and the remaining clauses to a qualified uniformity in matters of religion. The King's person and authority were to be defended—with an important qualification. Burnet suggests that the Scots had a design for the establishment of Presbytery in England; that the English Commissioners would not hear of it; and that Sir Henry Vane "cast" the words ultimately adopted, namely, that "the reformation of religion in England in doctrine, worship, discipline, and government" was to be "according to the Word of God and the example of the best Reformed Churches."[3]

It may be doubted whether Burnet, in making this statement, was correctly informed. It is not in agreement either with the letter or the spirit of a declaration by Alexander Henderson, who, according to Baillie, drafted the treaty. In a paper prepared by him for the Scottish Commissioners in London in 1641 (after the negotiations with the King had been transferred from Ripon), Henderson expressly repudiates the suggestion that he or the Commissioners were "presuming" to propound the form of government of the Church of Scotland as a pattern for the Church of England.[1] That was his standpoint in 1641, and it must have been his standpoint in 1643. And Henderson, we are assured by Mr Lang, was always "a gentleman of honour." We may therefore safely assume that if Henderson, who represented the views of the Scottish clergy, was not the actual author of the formula adopted for the reformation of religion in England, he offered, at least, no resistance to its embodiment in the treaty. These being the circumstances, a good deal of the abuse levelled at the Kirk for striving to force Presbyterianism upon England, by means of the Solemn League and Covenant, is founded upon a misapprehension of the original aim of that treaty.

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[1] Burnet's *Memoirs of the Dukes of Hamilton* (1852), p. 301.

[2] The essence of these clauses consisted in the obligation to "preserve the rights and privileges of the Parliaments and the liberties of the Kingdoms"; and to "preserve and defend the King's Majesty, person, and authority in the preservation and defence of the true religion and liberties of the Kingdoms." The effect of this clause will be noticed later on (see Chap. X.).

[3] The Solemn League and Covenant underwent several unessential alterations from Henderson's original draft, the main object of these alterations being a desire on the part of the English to escape the necessity of describing with too great precision, the nature and scope of their obligations in the sphere of religion.

What, then, did Scotland—and the Kirk in particular—gain, or seek to gain, by the treaty? First and foremost, security. The agreement expressly stipulated for the "preservation" of the established form of Church government in Scotland (Presbyterianism).[2] On this point, again, Henderson clearly defines the Scottish position. In January 1642-3, he declares, in a petition from the General Assembly to the King, that "former experience and daily (common) sense teaching us that without the reformation of the Kirk of England, there is no hope or possibility of the continuance of reformation here."[1] There is nothing ambiguous in that statement. The Scots were anxious to see the Church of England reformed, because it was the only guarantee they could have against the overthrow of their own Church. While they would like to see (naturally enough) Presbyterianism accepted in England, they had no desire to press that polity as a pattern for the sister country. The main thing was to get rid of the Bishops, for so long as there were Bishops (so they contended),[2] there was always a danger of a relapse into Romanism. And Romanism was the unspeakably evil thing; the very appearance of which they were determined to avoid.[3]

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[1] Hetherington's *History of the Westminster Assembly*, Appendix 1.

[2] The words are: "The preservation of the Reformed religion in the Church of Scotland in doctrine, worship, discipline, and government against our common enemies."

The Scots were thus striving for safety. But not for safety alone. They had their ideals, whether mistaken or not, and the obstinacy with which they clung to those ideals is responsible for most of the temporary misfortunes that were to crush their country in the coming years. The foundation of their ideals was that their Kirk was before everything, a National Church. Being a National Church, uniformity in creed and discipline was a logical necessity. That necessity excluded toleration of rival creeds and discipline. It did not, however, exclude what the Presbyterians called "accommodation" for tender consciences; but the "tender consciences" must be *inside* the Church. The national idea was at the root of Scottish intolerance of the seventeenth century: because nationality implied unity; and the enforcement of unity necessarily implied the absence of toleration.

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[1] Clarendon, B. VI. 340.

[2] See Henderson's paper in Hetherington's *History* (App. 1).

[3] The treaty expressly provided for the "extirpation" of Popery and Prelacy.

We know better in the twentieth century. We know that the effect of trying to force the consciences of men into a prescribed mould is to sear them, or to sour them. Such a system can only turn out either cunning hypocrites or wooden formalists. But in the seventeenth century this lesson had not yet been learned. It was a time of experiments. In England there were more sects—some holding the wildest and most fantastic creeds conceivable—than could easily be enumerated. Every man was becoming a law to himself in religious matters, and would have been equally anarchic in civil affairs but for the strong hand of the magistrate. The Scottish ideal of co-operation between magistrate and minister was the Genevan ideal; and it was laid down in the First Book of Discipline. Church and State were to be complementary in their functions. The Church was to censure the faults neglected, or not punished, by the State; and thus a State-cum-Church net was spread for evil-doers, with meshes through which none might hope to escape. The "Keys" and the "Sword" were to form a combination that none might resist.

From this theory of Church and State being interdependent in the enforcement of morality, while independent in their different spheres, flowed important practical issues. As a corollary of the functions claimed by the Church, excommunication became a recognized part of its machinery. As a corollary of the doctrine of Divine origin (which was claimed for Presbytery), the spiritual independence of the Church became a question on which

Church and State met in frequent and sharp collision. In the Church of Scotland (still following the Genevan model), excommunication was resorted to, sometimes in as drastic a fashion as in the Church of Rome. It was a weapon that was peculiarly dangerous to human liberty, although designed mainly to restrain license. Its passive acceptance by the Scottish people showed that either they had not yet shaken themselves completely free from the shackles of Rome, or that their wrists were not fretted by the new gyves, because they had been manufactured in Geneva. Generally speaking, the clergy performed their duties as spiritual police discreetly and honestly. Their supervision of the morals of the people resulted in cleaner lives, if not in more regenerate hearts. Their example was in strict conformity with their precepts. If their minds were narrow, their sympathies were wide. They were the guides, philosophers and friends of their people; and their people trusted, even when they did not love them. Their very intolerance was, in many cases, the fruit of their sincerity.

Indifference and tolerance are easily mistaken for one another. But burning conviction and cool toleration are antipathetic. The toleration that succeeding generations have learned by experience to prize, was unknown in the seventeenth century. We can only gauge correctly the sentiments of that time, by the isolated instances of bigotry that are to this day occasionally discoverable. The only sect that then understood the true principles of toleration were the Baptists. Toleration as understood by the Independents in England, was only partial. A genuinely tolerant voice like that of Fuller, or Chillingworth, or Roger Williams, or

Lilburne, or Marten, was a voice crying in the wilderness.

When, therefore, the attitude of the Scottish Presbyterians towards the civil and religious questions of Charles the First's time is judged, it should be judged, not as has been too frequently the case, by the standards of the nineteenth or twentieth century, but by the standards of the seventeenth century.[1]

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[1] Where, in the whole of the Scottish Statutes, is there a more striking example of intolerance than the Ordinance passed by the English Parliament in 1648 for the suppression of blasphemies and heresies? Death or imprisonment was the penalty, according to the nature of the offence. So intolerance was not confined to the clergy on the one hand, or the common people on the other. Cartright, the eminent Cambridge professor, declared that "heretics ought to be put to death." The statesmen and the professors who took that view defended their attitude on the ground that blasphemers and heretics were a danger to the spiritual and moral welfare of the State. Plato seems to have held a similar view.

CHAPTER IV

THE men charged with the mission of bringing the Solemn League and Covenant from Scotland to Westminster, were Henderson and Gillespie, the ministers, and Maitland, the dexterous layman.[1] With Robert Meldrum, they were admitted to the Assembly of Divines sitting at Westminster, to be present there and to debate upon occasion[2] (but not to vote).

The Covenant, as finally revised in Scotland from Henderson's draft, was subjected to certain amendments by the Assembly, the most important of which was its extension to Ireland; uniformity in all three Kingdoms was to be the goal. It is worthy of notice that Presbyterian Scotland, the supposed home of intolerance, made no demand to impose the Reformed religion on Catholic Ireland; that was left to the Westminster Assembly of Divines, backed by the House of Commons.[3] Finally, the Solemn League and Covenant was passed by both Houses of Parliament; it was subscribed by the Commons by a large majority, who swore to defend its provisions. Thus on the 28th September 1643, this international treaty, solemnly entered into by the Parliaments of England and

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[1] Burnet's *Dukes of Hamilton*, p. 307.

[2] Baillie's *Letters*, I. p. 49.

[3] Nevertheless the Scottish lay Commissioners were instructed by the Committee of Estates to help the Commissioners of the Kirk in their efforts for conformity and in getting the Covenant signed, not only in England but in Ireland. *Acts Par. Scot.*, VI. pt. 1, pp. 70-1.

Scotland, was launched on its perilous voyage. Traversing a sea abounding in rocks and shoals; to-day tossed by the waves of religious passion; to-morrow becalmed in the waters of political indifference; one day hailed as if it were a blessing from Heaven; the next day denounced as if it were an invention of the devil; the frail bark of the Covenant was ill-fitted to encounter such variable conditions. Had its designers taken greater pains to make it completely seaworthy, it might have reached ultimately a far more commodious haven than the narrow Scottish Firth that was its final resting-place; and on the shores of which it was, in the end, left stranded.

There was lack of foresight on the part of both nations. England did not foresee that Scotland would make a fetish of the religious Covenant. Scotland did not foresee that England would treat as a "scrap of paper," the civil League. Thus the Solemn League and Covenant, initiated by England primarily to protect her civil rights, and accepted by Scotland mainly to make secure her religious liberties, gradually became the symbol of a growing antagonism between the allied nations, which ended in armed conflict. Temporarily, the civil rights of England were saved, and the religious privileges of Scotland were preserved. But the treaty left a debt for future generations to discharge; and it was finally liquidated by the blood of martyred Scotsmen and the tears of disillusionized Englishmen.

The treaty was founded upon a fallacy. In the first glow of enthusiasm for an idealistic alliance, the English promoters believed that it would be accepted by their country in the same spirit as it was received in Scotland. But the Scottish people were well accustomed to Covenants. The religious clauses incorporated in the Solemn League and Covenant were only a revised edition of their own National Covenant. The enforcement upon them of the Solemn League and Covenant met with little resistance. But its enforcement upon England by the English Parliament at once aroused determined antagonism by the greater part of the English laity. The latter regarded the Covenant as a Scottish institution, of which they were profoundly suspicious. Had their opposition been foreseen, the folly of compelling an entire nation to accept the provisions of an uncompromising document like the Covenant would have been avoided. The ideals of the treaty were too lofty for the practical mind of England. An international agreement for uniformity in religious questions on which no two minds thought completely alike, was not to Englishmen's liking. Had the provisions of the treaty come down to earth, instead of soaring in the clouds of idealism, the alliance between the two countries would have been popular in England, and a cordial international understanding might have been established. But the Covenanting clauses, regarded as an alien graft, were unacceptable to the English people. The Puritan clergy and the Puritan Parliament that applied compulsion in the acceptance of the Covenant, only succeeded in weakening the bond of the Solemn League, and finally dissolving it altogether. It is important to remember (what is frequently forgotten), that this Solemn League and Covenant was not an instrument, by means of which the Scots tried to force upon the English nation an alien form of Church government. The Scots prescribed no ecclesiastical polity for England. In Henderson's words, they did not "presume" to do so. The common error on this matter is twofold, inasmuch as it assumes (1), that it was the Scottish National Covenant that was carried across the Border; and (2) that it was at Scottish instigation that it was imposed upon an unwilling England.

The Solemn League and Covenant symbolizes the intertwining of religion and politics that was characteristic of the period. In a time of national stress, or national danger, this tendency is bound to be more or less conspicuous. In the first half of the seventeenth century, its reflection is seen in the character of the leading men in Church and State. The clergy—particularly in Scotland—were political disputants, if they were not statesmen; the politicians were religious controversialists, if they were not men of God. John, Lord Maitland, was primarily a politician, and it was as a politician and a handler of men that he was employed by the Kirk. When a Commission of eight (Henderson, Douglas, Gillespie, Rutherford and Baillie, ministers; and Maitland, Cassilis, and Warriston, elders), was appointed to watch over Scotland's interests in London, the first two to be unanimously chosen for membership were Henderson and Maitland[1]; both indispensable men. Of the elected eight, Henderson was "extremely averse from goeing," owing to the state of his health; and Baillie confesses his trepidation at the thought of "so suddenlie to goe so farr a voyage."

Baillie and his Scottish companions had embarked upon a "farr voyage" of another kind. If they had hoped—as beyond doubt they did hope—that complete assimilation between the two countries in Church government, as in civil aims, was attainable, they had to learn that they were pursuing an illusion. They were well aware that the soil of England was unfavourable to the growth of Presbyterianism. "As yet," wails Baillie, "a Presbytrie to this people is conceaved to be a strange monster."

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[1] Baillie, II. p. 98.

The ground of the Scottish Commissioners' expectations lay in their army. "Mr Henderson's hopes," writes Baillie, "are not great of their conformitie to us before an armie be in England." For the "Sectaries," represented in the Westminster Assembly by a small group of conspicuously able men, were beginning to lift up their heads to some purpose. These men were not enamoured of the elaborate Presbyterian system of lesser and greater Courts. Their ideal was the independence of individual congregations,—hence their contemporary name of Independents, and their modern name of Congregationalists. Their earliest name is erroneously believed to have been "Brownists,"[1] from "Browne the first Sectarie" as Baillie calls him. The Independents, above all things, were jealously watchful of the rights of the lay element in every congregation. The congregational system ensured lay predominance—it enabled the members of the congregation to override clerical pretensions, and to check any manifestation of clerical tyranny. Lay predominance was thus the main conception, and it was a conception that brought Independency into sharp conflict with contemporary Presbyterian ideals. For Presbytery claimed "the power of the Keys," while Independency refused to acknowledge any such claim. Presbytery demanded the right to excommunicate. Independency rejected this doctrine as unscriptural, and exercisable, if exercised at all, by the State alone. These were fundamentally the irreconcilable ideals that separated the two systems, not government by Church Courts as against government by individual congregations. It was a question of conscience, not a question of organization; and when there is a clash of conscience, its echoes betray the bitterest of strifes.

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[1] The sect founded by Robert Browne (who ultimately conformed) is distinguished, in contemporary allusions, from the Independents, though their principles of Church government were alike. The name "Independents," as descriptive of those principles, is said to have first been used by Henry Jacob in 1609 (Drysdale's *Hist. of the Presbyterians in England*, p. 5 (note). In one sense the name "Independents" embraced all who were called by contemporaries "the Sectaries," inasmuch as it served as a broad mark of distinction between them and the Presbyterian Puritans.

Thus, the uniformity desired by the Scottish Commissioners had its subtlest foe, not in the disaffected Episcopacy that, for the moment, remained ostentatiously in the background, but in the very heart of the dominant Presbyterianism itself, as represented by a host of sects of which the Independents became incomparably the most influential. How greatly the Commissioners resented the thwarting of their hopes by the stubborn "Sectaries," is shown by Baillie's remark, that they proposed not to "meddle in haste with the question of Independency till it please God to advance our armie, which we expect will much assist our arguments."[1] The Sword of the Spirit had, in fact, to be reinforced by the pike of the soldier.

But while the army tarried, and the theologians argued, the lay element among the Commissioners was not idle. For the Scots had three distinct lines of persuasion along which to make their views prevail. Their army had to win battles in the field; their preachers had to silence antagonists in the Westminster Assembly; and their lay

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[1] Baillie, II. p. 111.

Commissioners had to influence those English members of Parliament who really counted in effective politics. These were alternative instruments of success; collectively, their effect would be irresistible. For influencing the politicians, Maitland was the man on whom Scottish hopes mainly rested. "I profess," says Baillie, "the very great sufficiencie and happiness (tactfulness) of good Maitland." The Scots could not do without him, according to Baillie; and obviously, he was not alone in his opinion. "I think it reasonable and necessary," he writes, "that come who will, Maitland should be adjoined to them. Forget not this, for if this be neglected, it would be an injurie and a disgrace to a youth that brings, by his noble carriage, credit to our nation, and help to our cause. The best here makes very much of him, and are often in our house visiting him, such as Northumberland, Sey, Waller, Salisbery, and such-like."[1] Thus Maitland, before he had reached the age of thirty, was already regarded as the most promising diplomatist that Scotland possessed.

The modes in which his diplomatic talents were exercised, and particularly the shape into which his personal character was gradually moulded, form one of the most interesting psychological studies to be found in the history of the seventeenth century. One thing is abundantly clear: His first essays in political work, supervised by the cool, critical eye of "cunning" Argyll, were admirably performed, while his labours on behalf of the Church of Scotland gained the applause equally of the statesmanlike Alexander Henderson, and the honest, if (mentally) the less generously equipped

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[1] Baillie, II. p. 107.

Robert Baillie. Nor was a recognition of his abilities confined to his fellow-countrymen. When the Committee of both Kingdoms was formed, in February 1644, to supersede the relatively unimportant Committee of Safety, the Scottish representatives included Maitland; according to Sir George Mackenzie, he was elected President.[1] The other Scottish members were the Earl of Loudoun, Warriston, and Barclay.[2]

The Committee, which was composed entirely of civilians—seven peers and fourteen commoners—resembled a modern Coalition Cabinet in its constitution and functions. The Executive of Parliament, it was responsible to Parliament; nevertheless, the power it wielded was far-reaching. Originally coming into existence for a period of three months only, the Committee proved indispensable, and its re-appointment by Parliament for an unlimited time, at a crisis in the national history, was the sequel of its usefulness. It included Cromwell, Essex, Manchester, and Waller, none of whom took an active part in its deliberations, owing to their frequent absence on military duties. The two Vanes were also members. Presbyterians and Independents collaborated heartily on this Committee, when faced by a common danger; it was only after the worst of the danger was past, that the ineradicable religious differences which separated them, began plainly to show themselves.

These differences, in time, became acute, and they were accentuated by the question of nationality. The "auld enemies" were, at bottom, "auld enemies" still; and so they were bound to remain until a common interest provided a common bond, and until the two nations stood on a footing of perfect equality. English dislike of the Scots had to be swallowed by a proud people, who, by their delegates, were forced to come to Edinburgh as supplicants for the help of "a contemptible little nation"; and that assistance could not yet be dispensed with. The Scots, on the other hand, had to overcome their traditional jealousy of the sister nation in order to co-operate effectively with her against the peril that threatened both. And the Scots, by their timely help, were destined to save England from the almost certain fate of having her liberties re-shackled. It is difficult to see how the Civil War could have ended otherwise than by the triumph of Charles, had it not been for the intervention of the Scots.

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[1] *Memoirs*, p. 9.

[2] The instructions given to the Scottish Commissioners by the Committee of Estates (*i.e.* the Committee that attended to Parliamentary business when the House was not sitting) show that in taking important joint decisions with their English colleagues, the Commissioners were to consult the Committee "without whois particular warrand ye shall conclude nothing." *Acts Par. Scot.*, VI. pt. 1, pp. 70-1.

The King was enraged against the Scots; and from his point of view, with good reason; for they stood between him and victory. As the Parliament had looked to Scotland, so he looked to Ireland for succour, but with far different results. The Scots had sent not only a well-equipped army into England; they were also maintaining an army in Ireland under Robert Monro in the same cause. Charles tried unsuccessfully to bribe Monro with a pension of £2000 a year and an Earldom, to desert the Covenanting cause. Possibly he may have thought that no Scot could resist £2000 a year, whatever he may have thought of an Earldom. Monro resisted both offers, and the Scots remained in Ireland, to constitute a formidable barrier to the maturity of the King's plans. These included the assistance of 10,000 Irish Roman Catholics—an embarrassing conception, inasmuch as it involved the alienation of the Royalist Protestants from the King's cause. And all this time, the advocates of peace were striving to find common ground for an agreement between the contending parties; while the two Parliaments, the King's at Oxford, and the country's at Westminster, were engaged in abusing one another freely.

The breach widened, instead of narrowing, and recourse was again had to the arbitrament of the sword. Had it not been for the Scottish Army, it is probable that Charles would not have shown any inclination to come to terms with the Parliament. But the Scots, by containing the Marquis of Newcastle, dominated the North, and the military dispositions of the King were profoundly affected by that fact. At a time when his services would have been of perhaps decisive importance elsewhere, Prince Rupert was forced by circumstances to go to the relief of the Marquis of Newcastle, who was being hard pressed by the Scots. Rupert quickly overcame all resistance, Stockton, Bolton, and Liverpool successively falling to his victorious arms. His main objective was York, where the Marquis of Newcastle, threatened in the front by the Scots at Durham, and in the rear by the two Fairfaxes, had shut himself up with 5000 horse and 6000 foot. His adversaries joined forces, and prepared for the siege of York. If its fall was to be avoided, Rupert had to drive off the besiegers; and the besiegers, on their part, had to defeat Rupert before they could hope to capture the city. The issue was fought out on Marston Moor, which, in one sense, was the decisive battle of the Civil War. Had the Parliamentary forces been routed, it is difficult to see how further resistance to Charles could have been made with any prospect of success.[1] On the other hand, the completeness of the Parliamentary victory placed the final result of the war beyond reasonable doubt. The part played by the Scots in the victory has been distorted by national prejudice, contemporary and modern. The Independents strove to create the belief, that (to quote Baillie), "all the glory of that night was theirs"[2]; they had done it all, they and "their General-Major Cromwell." The true facts (according to Baillie), were that "the beginning of the victorie was from David Leslie . . . he, with the Scotts and Cromwell's horse, having the advantage of the ground, did dissipate all before them." The worthy minister might have added that when Cromwell was driven back by Rupert, Leslie's support at the critical moment enabled the combined Parliamentary horse to scatter the Royalist troopers like "a little dust." It was the defeat of the Yorkshiremen on the right that caused the crumpling up of the Scottish centre, and the flight of Leven, a misfortune that was partially retrieved by the heroic stand made by the three Scottish regiments (one of them Maitland's),[3] under General Baillie, which (says the greatest English authority on the Civil War) "maintained the honour of the Scottish name until relieved."[1]

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[1] Dr Gardiner (whose account of Marston Moor is marked equally by authority and impartiality), says that if Rupert had won the battle, "the victory would have been won all along the line, and there can be no serious doubt that that victory would have given to Charles once more an undisputed throne" (I. p. 374).

[2] The Committee with the Scottish army reported to the Estates, "the glory of all this belongs to God alone,"—not to the Independents or the Scots. They described the battle as a "verie hote encounter for the space of two hours" (*Acts of Par. of Scotland*, VI. pt. 1, p. 861).

[3] This was the Midlothian Regiment of which Maitland was Colonel. It was commonly called "Lord Maitland's regiment" (*Scott. Hist. Soc.*, vol. I. p. xxxix.).

No one knew better than Cromwell the value of the Scottish assistance at Marston Moor, though his generosity in acknowledging it is not conspicuous. Up to this time, he seems to have worked smoothly with the Scots, and Baillie's tribute to him as "a very wise and active head, universallie well beloved, as religious and stout" may be taken as a characteristic Scottish opinion of his courage and piety.[2] But the rift in the lute was now appearing. It first made its presence known outside the walls of York, where Vane, coming down from London on a secret mission, placed a proposal before the Parliamentary generals that betrayed the goal at which the Independents were now beginning to aim. It was nothing less than the permanent exclusion of the King from the future government of the country, for the provision of which the soldiers were invited to cooperate with the politicians. A previous attempt had been made by the Independents, earlier in the year, to secure the adhesion of the Scottish Commissioners to a similar proposal, but Maitland and his colleagues stubbornly rejected the scheme, which was consequently abandoned temporarily. Nor did Vane succeed any better with the soldiers. Leven, who was in supreme command of the Scots, took the lead in refusing to listen to Vane; and his fellow-generals shared his views. But Cromwell seems to have been won over to Vane's proposals, and Dr Gardiner dates Cromwell's quarrel with the Scots from the discussion outside the walls of York in 1644.[1] The discussion touched not merely the disposal of the King's person, but the future of monarchy in England and Scotland, and though the aims of the Independents were temporarily baffled, they never relinquished them until they were finally achieved. The time was to arrive when Cromwell exclaimed, "Away with the Covenant." Yet he, himself, after some hesitation, had signed it on 5th February 1644. Had he not done so, his post as Lieutenant-General in Manchester's Army would have been given to another.

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[1] Gardiner, I. p. 380. See also Dr C. H. Firth's clear and accurate account of the battle. (*Life of Cromwell*, pp. 104-8.)

[2] Lawrence Crawford, the Scottish Major-General, who commanded Manchester's division on the left at Marston Moor, threw some doubt on Cromwell's bravery at the battle; but his assertions may have been due to professional or national jealousy.

It was not until the beginning of 1645 that there was a real opportunity of reconciling King and Parliament, and the chief promoters of peace were the Scottish Commissioners, particularly Maitland—now, by the death of his father, Earl of Lauderdale—and the Earl of Loudoun. "The Treaty of Uxbridge," says Dr Gardiner, "was, to all intents and purposes, a Scottish negotiation."[2] The political arguments by which Loudoun and Lauderdale sought to achieve their end were reinforced by the theological arguments of Alexander Henderson from the Presbyterian standpoint.[3] By this time the Westminster Assembly and the Parliament were in accord on the main question of setting up a Presbyterian form of Church government for England, though it was not until July and August 1646 that the machinery was in actual

[1] *History*, II. p. 368.

[2] *Ibid.*, II. p. 121.

[3] Lauderdale was the principal spokesman, according to Clarendon, who tells us that, "being a young man, not accustomed to an orderly, and decent way of speaking and having no gracious pronunciation" (? a Scots accent) "and full of passion, he made everything much more difficult than it was before" (*History*, B. VIII. 224). Clarendon always detested Lauderdale.

operation. The delay arose in consequence of a divergence of views on the relations of Church and State. Strongly Presbyterian though it was, the Presbyterianism of the English Parliament was different from that of the Scottish Estates. The latter bowed to the will of the Churchmen, who, while opposed to a Spiritual Estate in Parliament, exerted an extraordinary influence over the three temporal Estates. At one time the slaves of the King, the Estates were now the henchmen of the Kirk. The General Assembly was, in effect, the popular Parliament, the Estates being content, in ecclesiastical matters, to register the decrees of the Assembly. The attitude of the English Parliament towards clericalism was profoundly different. As the clergy complained, Parliament wanted both the Sword and the Keys. Though predominantly Presbyterian in its composition, its attitude on this question agreed with the standpoint of the Independents. It refused to acknowledge the doctrine of *jus divinum.* It insisted upon the right of an appeal to Parliament against Church censures, or deprivation of membership. Excommunication in the seventeenth century was a serious matter for the delinquents; and Parliament deemed it of importance that the latter should not be deprived of the protection of the State. It took some time to compose the differences between Parliament and the Westminster Divines, of whom the small group of Independents argued ably from what is called the Erastian standpoint, against unlimited clerical jurisdiction. But in January 1645, the Independents were a numerically weak body in Parliament, and it was a Presbyterian, therefore, who was selected by Parliament to represent its ecclesiastical views at the Treaty of Uxbridge.

The Scots being experts in Presbyterianism (to many Englishmen "Presbyterie" was still "a strange monster"), and Henderson being the ablest of these experts, and a man highly respected by the King, no better choice could have been made. But for all the practical results achieved in composing the ecclesiastical quarrel between Charles and the Parliament, the discussions between Henderson and the Royalist divines were as fruitless as the rhetoric of a debating society.

Fruitless, too, were the arguments employed by Lauderdale and Loudoun in the domain of politics. It was the inception of these negotiations that first reveals Lauderdale to us in the light of an unbigoted Presbyterian. Before setting out from Westminster for Uxbridge, he and his colleagues told Sabran, the French Minister, that their view of Episcopacy in England was, that while there was no necessity to destroy it on religious grounds, it was essential for the unity and peace of England and Scotland that it should disappear.[1]

That it did not disappear with the King's consent; that an agreement was not reached on the question of Charles taking the Covenant; nor on the control of the English and Scottish militia; nor on the voiding of the Irish cessation; was due, as the evidence shows, to Montrose's victories in Scotland, which encouraged Charles in the hope of regaining his throne by the sword, and not by concessions. If, indeed, it was Montrose's letter to Charles, encouraging him to continue his resistance that induced the King finally to reject the olive branch held out by the Parliament, it was the greatest disservice that Montrose could have rendered his master.[1] A compromise seemed to have been reached, and the King's acquiescence secured, when the negotiations were broken off. Never again had Charles an opportunity of coming to an agreement with the Parliament under such favourable conditions of reconciliation. Henceforward, the distrust with which he was regarded by his opponents, offered a formidable barrier to the successful conclusion of the various negotiations for peace that were initiated.

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[1] Gardiner, II. p. 122.

Note.—The negotiations with the King were opened by the Scots in November 1644; they were based upon peace proposals agreed by the Parliaments of both Kingdoms (Baillie, II. p. 241). There is an interesting account of their proceedings by the Scottish Commissioners themselves (Maitland, Erskine, and Barclay) dated Oxford, 24th November, in the *Thurloe State Papers*, Vol. I. p. 52. They describe their journey from Maidenhead to Reading, searching for the King. From Nettlebed they sent a trumpeter to the Governor of Wallingford, demanding to know where Charles was; and they were told that he was at Wantage. Backwards and forwards they travelled as if a game of hide-and-seek were being played. The Governor at Wallingford at length told them that the King would certainly be at Oxford that night; therefore to Oxford they went. "So we came hither," they write, "and after two hours attendance at the ports (notwithstanding we had sent a trumpet and two of our servants in the forenoon), wee at last were brought in by the Deputy-Governor. As soon as we came to our inne, we sent to the Duke of Lennox and Richmond to desire him to let the King know wee were come." Ultimately they were permitted to reach the august presence. They handed the proposition to the King, who asked them if they had power to treat. They replied that their mission was to deliver the proposition, and crave his Majesty's reply in writing, which Charles promised to give. The answer, when it came, was practically a shuffle, based upon the fact that the Commissioners had no power to treat. Charles promised, however, to use all expedition in preparing his reply, and meantime desired a safe conduct for the Duke of Richmond, and the Earl of Southampton, with their attendants, to bring up his answer.

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[1] A copy of Montrose's letter is given by Welwood (Appendix X. 7th Edition) who (pp. 63-7) advances excellent reasons for the belief that it was this fateful letter which was wholly responsible for the failure of the Uxbridge negotiations. "I doubt not," wrote Montrose, "but before the end of the summer, I shall be able to come to your Majesty's assistance with a brave army." Welwood's opinion is confirmed by Burnet, who states, however, that Montrose sent his news to the King by means of messengers, his letter to the King never having been delivered (*History* (1839), p. 23). Burnet had his information from Lauderdale and Hollis. Montrose's success, says Burnet, "was very mischievous."

Thus inauspiciously did the negotiations commence.

CHAPTER V

THE breakdown of the negotiations at Uxbridge must have been a sore disappointment to Lauderdale, who, in the conduct of the Treaty, was probably the chief agent of the Parliament. He was certainly regarded by the Scots as their most successful diplomatist. The testimony of Alexander Henderson (himself a shrewd statesman), to Lauderdale's capabilities, is sufficiently conclusive. About a year previously, there had been a report that Lord Maitland (as was then his title), was to be recalled to Scotland. "This report," wrote Henderson to Robert Douglas of Edinburgh, "troubleth us exceedingly." Maitland had been "more usefull than any of us could at the first have conceaved"; if he is recalled, "not only shall our respect, which we have need of in this place, be diminished, but we shall not know how, or by what meanes to deale with the Houses of Parliament. My Lord [Maitland], is well acquainted with the cheifest members of both Houses, hath dexterity in dealing with them, and is much honoured by them." Henderson argued that "whosoever be sent hither, he (Maitland) be not taken from us at this time." The Commissioners had written more in detail to Argyll, and Douglas was entreated to look into it, "as a mater that concerneth oure successe heere very much."[1]

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[1] Baillie, II. p. 485.

The success of the Scots in English affairs, had they but known it, was to begin in the year 1643, and end in the year 1644. The Uxbridge fiasco hastened the downfall of their hopes. The King's obstinacy exasperated the Parliament, and even the advocates of peace were silenced. Cromwell saw his opportunity, and shrewdly took advantage of the situation. The Self-Denying Ordinance cleared the way for the New Model, an army composed partly of volunteers and partly of conscripts, raised expressly for the purpose of bringing the war swiftly to a close. When, in February 1645, the Lords passed the New Model Ordinance, they unwittingly handed over the country to a military despotism, but a despotism controlled, for a time, by the strong hand of Cromwell.

To the Scottish Commissioners, Cromwell was now "the darling of the Sectaries"; his and Vane's "great shott" was "to have a libertie for all religions without any exceptions"[1]; and even to a comparatively broad-minded man like Baillie, such a thing was unthinkable. And Lauderdale was also opposed to tolerance; at any rate, for the democratic Independents.[2] But Cromwell himself, even when he ruled the destinies of England, was unable to give effect to the principle of complete toleration. That was an ideal which proved to be unattainable in the seventeenth century.

The conflict of views between Cromwell and the Scots on this burning question widened the breach between them. The Scots, on their part, viewed with increasing concern, the growing influence of the Independents. Added to Montrose's victories in Scotland with his "naked runagates" (whom Baillie also calls "a most naughty and most

[1] Baillie, II. p. 230.

[2] *Ibid.*, p. 237.

despicable enemy"), the Independent menace in England made the Scottish Commissioners in London uneasy. This uneasiness was brought to a head by the victory at Naseby in 1645, when the King's forces were shattered by the New Model under Fairfax and Cromwell, and the First Civil War was practically ended. Expression is given to Scottish feeling in a letter dated from Worcester House, 17th June 1645, to Lauderdale, who was apparently then in Scotland. Lauderdale is told that "your presence was never more necessare than at this time. If ever ye did God or your countrie or the whole isle service in your life, haste up these recruits. There is no other way to make the King take reason in patience, also to bridle the insolencie of wicked men" (to wit, the Independents). "If we settle affaires here," Baillie adds, "Montrose will melt lyke a snaill."[1] But honest Mr Baillie's demands on Lauderdale were exacting. Not only did he urge the necessity of providing reinforcements for the army, but in a letter of 1st July, he desired him "if you be a good Scotsman," to make the army strong, both in men and in ministers; and to favour him with his criticism on Mr Rous' Psalms.[2]

As the days passed, Baillie became more pressing in his demands for reinforcements, and for Lauderdale's presence in London. "No living man," he writes to a correspondent, "fitter to doe Scotland service against the plotting Independent partie, which for the time, has a great hand in the State."[1] And to Lauderdale himself, he addressed an urgent request that he should lay by his private affairs and hasten to London. "O, if you could gett one sound blow of Montrose that the body of that Army might come up to England"? That was the irritating part of Montrose's campaign: it kept in Scotland a large number of troops that might otherwise have been employed in putting a curb on the "Sectaries." "We are hated and despised daily by many here," bewails Baillie, though in a later letter we find him stating that "the bodie of the Parliament, City, and countrey are for the Presbyterie, and love us and hate the Sectaries."[2]

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[1] *Letters*, II. pp. 279-281. Baillie winds up this letter by offering his service to "your kind Lady and to yourself, so long as you remain honest, but not ane hour longer." Does this suggest some doubt of Lauderdale's fidelity?

[2] *Letters*, II. pp. 293-5. This allusion is to the metrical version of the *Psalms* by Francis Rous, M.P. for Cornwall and a lay assessor of the Assembly; substantially the same version as that still used in Scotland. It would be interesting to know Lauderdale's opinion of the metrical *Psalms*. Probably it would not be favourable, if his critical faculty was at all strong. We learn from a later letter that Lauderdale was to be the bearer of a number of *Psalms* to Scotland. "These lines," wrote Baillie, "are likely to go up to God from many millions of tongues for many generations." So they have, as a fact, but there is something piquant in Lauderdale's association with their introduction to Scotland.

It is true that the English Parliament was still predominantly Presbyterian; and that the City of London was so ill-disposed towards the Independents and their fellow-sectarians, that the Corporation petitioned Parliament to suppress all sects without toleration. But there appears to be small justification for the belief that the country, as a whole, was animated by similar sentiments. Had Presbyterianism been established in England in the early days of the Covenant, before the Covenanting fervour was allowed to cool,[3] it might have rooted itself permanently in English soil. But this was not done, and Presbyterianism was fated to be regarded in England, not as an indigenous product (as, in fact, it was), but as a Scottish graft. But all this was to appear later; and in the second half of the year 1645, English sects and English Presbyterianism (one day to be a sect itself) were irreconcilable and bitter antagonists. The Presbyterians drew their strength mainly from London; and it is a question difficult to solve, how far the Presbyterian trend in London was stimulated by the fact of the capital being the headquarters of the Scottish preachers assisting at the Westminster Assembly, who, on Sundays, drew crowds to listen to their sermons at St Antholin's. The latter, if they are to be judged by Baillie's views, placed their faith for the suppression of the Sectaries in the "arm of flesh," as represented by the Scottish Army. The eclipse of Montrose's star at Philiphaugh, three months after Naseby, eliminated from the political sky the one gleam of light in Scotland that had encouraged the Royalists. In England the Royalist sky was similarly overcast. Bristol had fallen; the attempt of the King to relieve Chester had failed; and November 1645 found Charles shut up in Oxford. The Royalists, broken and dispirited, were no longer a danger to the Parliament; the New Model had now become the source of Parliamentary uneasiness. The servant of Parliament was soon to become its master; and the master of both was to appear in the person of Cromwell. Gradually the opposing forces ranged themselves on two sides: the Parliament, increasingly frigid towards its Allies, the Scots; and the New Model, animated by Cromwell, and warmly supported by the whole body of the sects.

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[1] *Letters*, II. p. 296. [2] *Ibid.*, pp. 298 and 320.

[3] The compulsion that was applied in taking the Covenant (*i.e.* the Solemn League and Covenant) ruined its chances in England as a genuinely national obligation. Compulsion was also applied in Scotland, but in that country there was a majority in favour of it.

The issue could not be long in doubt. But in doubt it was bound to remain until the future of the King had been decided. Characteristically, Charles played with all parties. He despised them all, but he used them all. If it be true that he was advised by Williams, Bishop of Lincoln, that he had a "double conscience," public and private, and might conscientiously do as a King, what he knew as a man to be wrong[1]; and if it be true that he received and assimilated this pernicious doctrine, as a doctrine sanctioned by the Church of which he was so devoted a member, then an illuminating light is shed upon his insincerity and his double-dealing. An austere moralist in private life, a deeply religious man (according to the notion of those to whom religion consists in the hearty acceptance of certain dogmas, and the strict adherence to certain forms and ceremonies), Charles the First was nevertheless thoroughly dishonest in public life. He deceived, and lied, and tricked, as no man of honour would have done, and as he himself would have scorned to do in private life. How is this inconsistency of character to be explained, except by the hypothesis of a "double-conscience"?

He had lost all hope of making the dead bones of Royalism live again, but he had not lost hope of dividing his enemies and thus ruling them. There was the Parliament; there were the Independents, with Vane at their head; and there was the Scottish Army now near Newark. To all he made overtures; to all he made promises; with none did he mean to keep faith.

During the first half of 1646, London was a hotbed of intrigue, the central object of which was the control of the King. Quite early in the year,

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[1] *The Church and the Puritans*, by H. O. Wakeman, p. 160.

Baillie complains that owing to the insufficient strength of the Scottish Army, our "weakness here makes our desyres contemptible." The Scottish Commissioners, led by Lauderdale, were wooing the City of London, where sympathy with the Scots was pronounced, and France, the "auld ally" of Scotland, now appears in a pro-Scottish dress. "The Sectaries partie," writes Baillie, "would gladlie be at a breach with us, but the affection which France and the City declares towards us, does a little bridle them."[1] Simple-minded Baillie! Did he really suppose that Mazarin's policy was dictated by affection for Scotland? That crafty minister was apparently fishing in drumly waters. Some advantage to France might be snatched from the internal troubles in which England was immersed. Therefore Mazarin's envoy, Jean de Montreuil, crossed the Channel to spy the land and serve France.

Certainly it was possible to serve the interests of France by setting England and Scotland by the ears, and the surest way to achieve that end was to negotiate an agreement between the King and the Scots. That done, the rest would follow. Either the King would be restored with Scottish assistance, and with French goodwill, and Mazarin's schemes would thus fructify; or, in the event of failure, England's hands would, at any rate, be tied for a season, and Mazarin could weave his political webs, undisturbed by English interference.[2]

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[1] *Letters*, II. p. 353.

[2] The view expressed in the text of the object of Montreuil's mission may be mistaken, but it seems to me to be the most reasonable hypothesis to adopt. Certainly, Richelieu's friendly correspondence with the Scots was intended to embarrass England, and Mazarin's later attitude suggests a similar policy. Hallam (*Constitutional Hist.* (1855), p. 183), thinks "no sort of suspicion ought to lie on the French Government in connexion with Montreuil's mission." And Baillie

The time was ripe for French intrigues. The Parliament's attitude towards the Scots had been ungenerous, and therefore, un-English. The services of the Scottish Army were no longer required, and its continued presence in England was becoming irksome. The arrears of pay, added to those due to the Scottish Army employed in Ireland, had reached a huge amount (huge for the Scotland of that day), and the cost of maintenance—the good behaviour of the Scottish soldiers notwithstanding—had proved a heavy burden on Newcastle, and was now pressing on Newark. Also, when asked to assist the Scots against Montrose, the Parliament had refused its help. The terms of the alliance with Scotland were interpreted by the Parliament in a completely one-sided fashion. They would neither pay the Scottish soldiers in England, nor send soldiers of their own to Scotland. There was good ground for Scottish discontent.

Lauderdale, "keen of vision and firm of purpose," as Dr Gardiner describes him, seems to have come to London from Scotland in January 1646; and the heartening effect of his presence on the Scottish Commissioners was soon visible. The Uxbridge propositions to the King were renewed, probably under Lauderdale's direction; and simultaneously, certain secret communications were passing between the Queen (whose influence over her uxorious husband was considerable), and Will Murray.

Who was Will Murray? Years afterwards, Lauderdale became his son-in-law, and his career was profoundly affected by that fact. Therefore, a few words about Murray are necessary. In the sixteenth century, the Hermitage at Dysart (*desertus*), in Fife, a house associated with tradi-

writes Henderson in July 1646 (*Letters*, II. p. 381), that "the French ambassador is all composed of honestie and has no other errand but peace."

tions concerning St Servanus, or St Serf, was the property of Lauderdale's celebrated grand-uncle, Maitland of Lethington. From that circumstance, it seems likely that the connexion between Lauderdale and Murray may have first arisen. For the father of Will Murray was the minister of Dysart. But this son of the manse, when a boy, was far from showing a desire to waste whatever talents he may have possessed on the desert air of Fifeshire. The life of a Court seemed to attract his youthful fancy, and when, through the influence of his uncle, a "pedagogue," he entered the service of Charles the First, as his page and his whipping-boy, he had planted his step on the lowest rung of the ladder by which he hoped to mount to success. In 1626, he was appointed one of the Gentlemen of the Bedchamber, and in that capacity he quickly qualified for being a first-class Court tale-bearer. He crossed to France, possibly for the benefit of his health, and on his return was arrested as a spy, and sent to the Tower. He was released on bail, though an order had been passed by both Houses for his trial by martial law.

In previous years, Murray seems to have been of service to the Kirk in revealing Royal secrets,[1] and in the negotiations that took place between the King and the Scots in 1646, he was able to pose alike as a friend of Charles, and a friend of the Kirkmen. He was, says Burnet, "very insinuating and very false"; and he had the particularly useful qualification for a spy, of being far more reticent when in his cups (which was frequently), than when he was completely sober. The King never seems to have suspected him of being false to his interests, and as a token of his appreciation of his services, he created him, in 1647, Earl of Dysart.[1] He is, however, better known as "Will Murray," and by that name he flits across the pages of history, like a dark and sinister shadow. He was perpetually engaged in intrigue and negotiation, for which his insinuating manner was peculiarly well adapted. But whenever he shows himself to us, waiting upon the great people whose prejudices he humoured, and whose secrets he sold, we always expect to see him leaving by the backstairs and under cover of the night.

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[1] By a curious compact between Charles and the Kirk (1641-2), Murray was made the agent of the Kirk in her relations with the King (Baillie, II. p. 473).

This was the man who, with Montreuil, strove to arrive at an agreement between Charles and the Scots.[2] It was all in vain. The Scots would receive the King, and espouse his cause, only on their own terms; and to Charles those terms were wholly repugnant, and completely unacceptable. Montreuil persisted, and Murray intrigued, hoping to bridge over the differences of standpoint. But the Scots would have nothing to do with an uncovenanted King; and Charles would have nothing to do with their Covenant. Montreuil, who probably regarded the Covenant as an absurd fetish, and its supporters as harebrained fanatics, completely failed to understand either the stubbornness of the Scots in insisting upon its acceptance, or the scruples of Charles in refusing to subscribe. And it was precisely this lack of comprehension that caused Montreuil to gloss over to both sides, the difficulties that lay in the way of accommodation. Charles was probably only too willing to believe Montreuil's assurances that the Scots would not press the Covenant; quite as probably, the Scots were ready to believe the Frenchman's representations that the King would not prove impracticably obstinate in refusing necessary concessions. But from first to last, there is no satisfactory evidence that the Scots, at any time, relinquished or abated one jot of their demands.[1] It cannot be said that Charles was left without trustworthy warning of what the result would be, if he went to the Scottish Army. Lauderdale, one of the very Commissioners with whom Montreuil was negotiating, and than whom no safer guide in the matter could be found, advised him strongly against that course of action.[2]

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[1] Burnet's statement that he got the patent pre-dated as from Oxford, in order to take precedence of rival peers, does not harmonize with the fact that the King in December 1646 styles him "Will Murray." The date of the Oxford patent is said to be 3rd August 1643.

[2] In conjunction with Sir Robert Moray (a very different type of man), Will Murray planned the escape of Charles from the Scottish camp at Newcastle after it had been realized that agreement with the Scots was impossible. The hesitancy of the King ruined the project.

He told the King that he knew the (Scottish) Army would not be firm to him unless he yielded to their demands about religion.[3] But, adds Burnet, "upon some slender assurances which he got from Mons. de Montreuil, Agent from the French King," Charles went to the Scottish Army. He left Oxford in disguise on 26th April, and reached the Scottish camp at Southwell on 5th May 1646. On 7th May, Newark having surrendered, the Scots took the King with them to Newcastle.

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[1] Attempts have been made to show that they waived the acceptance of the Covenant, but the proofs of that assertion are entirely lacking.

[2] Dr Gardiner (*History*, III. p. 88), thinks that in the negotiations that preceded the King's flight to the Scottish camp, there was an absence of straightforwardness on both sides. To the eagerness of Montreuil to bring both sides to terms, may be attributed, in all probability, any misunderstanding there may have been. But it is not at all clear that any misunderstanding existed. There is a hiatus in the correspondence with Montreuil that leaves some points obscure.

[3] Burnet's *Dukes of Hamilton*, p. 351.

Firmly rooted in the mind of the King was the wholly mistaken notion, that none of the parties could settle the government of the country without him. As a corollary of that notion, he concluded that by widening the cleavage between the Parliament, the English Army, and the Scots, he could not fail to reap some substantial advantage. Nor, as the contents of his private cabinet revealed, had he lost sight of the possibilities of assistance from Catholic Ireland. It was an unfortunate fact for Charles, that his private letters had a way of falling into the hands of his enemies, who were thus enabled to gauge his character as a man who mistook dissembling for cleverness, and a King who mistook crooked dealing for statesmanship. The papers found at Naseby gave such an unfavourable impression of his good faith, that future negotiations became more difficult even than those of the past. It was quite clear that the King was ready to receive assistance against the Parliament from any quarter, Scottish, Irish, French, or Dutch, that would offer him the most promising prospect of regaining his throne, his prerogative, and the re-establishment of his Church. Of all these sources of possible assistance, the Scots were by far the least likely to assist any such designs. But they had a powerful army ready for immediate employment. They were estranged from the party that was now gaining the upper hand in England; they were a clannish people who had a warm place for a King who was born a Scot, and baptized a Presbyterian; they revered monarchy as an institution of Divine origin, though they had their own notions of its duties and limitations; and they never forgot that Charles the First (as they thought), was the hundred and seventh king in the line of descent from Fergus, the founder of the Scottish monarchy.

Charles may have expected that all these considerations—and sentimentally, they were of great weight with an ultra-patriotic people like the Scots—would have overcome their insistence upon the Covenant, and the recognition of Presbytery in England. If he held that view, he was soon undeceived. For months, Charles remained with the Scots, but at no time during his stay did he show the slightest disposition to accept their terms. These were based upon the Uxbridge conditions (with the addition of the Covenant), but had the King given way on the question of religion, a settlement on the other points could, beyond doubt, have been reached.

A close examination of the attitude, respectively, of the English Parliament, and that of the Scottish Estates during the various negotiations with Charles, seems to show that for the English, the fundamental object was the control of the King's militia, and for the Scots, the governance of the King's conscience. If, in either case, the prime object were secured, the rest of the demands were open to discussion. The Scottish lay Commissioners in London, of whom Lauderdale was the most notable, had shown in the Uxbridge negotiations, a disposition to moderate the claims of their clerical colleagues. Their conciliatory attitude again showed itself in a manifesto addressed to the English Parliament, which they issued before the King's flight to the Scots, urging the importance of arriving at a settlement.[1] Lauderdale knew that it was only by the King coming to an agreement with the Parliament, that the aims of himself and his friends in London could be secured. In common with the rest of his countrymen, he was getting alarmed at the growing ascendancy of the Independents, both in the country and in Parliament. But whereas the Kirkmen and their sympathizers were chiefly concerned with the heresies of the sects, Lauderdale and his aristocratic colleagues were mainly interested in the democratic tendency of their politics. A letter written by him to the King, while Charles was with the Scots, shows his point of view fairly conclusively. Charles was, as usual, seeking to snatch an advantage from party antagonism. He was then coquetting with the Independents, after having come to the conclusion that from the "damnable relapsed rogues"—so he described the Scots to his Queen—there was nothing to be gained. For this irregular flirtation with the Independents, Lauderdale sought to substitute a covenanted union between Charles and the Scots, not with the object of preserving the Reformed Kirk of Scotland (according to the Solemn League), but to save the throne, the Stewart dynasty, and with it the Scottish aristocracy. "The Independents" (wrote Lauderdale), "intended the ruin of the monarchy, and the destruction of the King and his posterity." Their "smooth propositions" were meant for his ruin. If the King would now consent to the Scottish propositions, all would go right, and "in spite of the devil and the Independents both, he would be quickly on his throne." But delays, he added, were full of danger.[1] Lauderdale fully recognized the possibility that if the monarchy went, the nobility would follow.[2]

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[1] Gardiner, II. 92-3.

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[1] Burnet's *Dukes of Hamilton*, p. 37.

[2] Writing to Henderson in April 1646, Baillie says, "Divers from whom I least expected it are for the putting away the whole royal race." And writing to the Earl of Lanark, he says, "If they continue

Had Lauderdale and his colleagues been at Newcastle instead of London, it is conceivable that events might have been shaped somewhat differently from the actual occurrences. Had even an angel from Heaven descended upon the Scottish camp, the fundamental differences between the King and the Scots, in the stubborn mood of both, might have remained unadjusted. Yet Lauderdale—by no means an angel of light, but a skilful diplomatist—might, at least, have devised means of relieving the Scottish nation from the odium which it has incurred for handing Charles over to the Parliament.

That course was adopted only after every means had failed of reaching an agreement with the King. His condition was, indeed, pitiable. A Parliamentary Committee came down to Newcastle in July, armed with certain propositions for his acceptance. In effect, by the clauses relating to the Army and the Navy, these required the transfer of sovereign power from Charles to the Parliament, with the additional and nauseous condition that the King must accept the Covenant; force it on his subjects; agree to the proscription of many staunch Royalists; and give the Parliament a free hand in dealing with Ireland. There were three things that Charles had declared he would not abandon: his throne, his Church, and his friends. The Parliament virtually demanded a jettison of all three. The Queen, at this juncture, was not a sympathetic helpmate to the man who adored her. Regarding, as a Catholic, all Protestants alike, Episcopalians included, as heretics and sectarians, she had no compunction in advising her husband

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to variance when Kings and princes are brought down, the power and following of the nobles may be abolished." (Dalrymple's *Memorials and Letters*, pp. 163-4.)

to throw over his Church, though equally with himself, she clung with tenacity to, and besought him never to abandon, the Crown prerogatives. Finally, the hope of help from France, so vainly cherished by Charles, was completely dissipated, and all expectation of effective assistance from distracted Ireland had by this time completely vanished. Faced by these crushing conditions, Charles never wavered in his determination not to "sell his soul." Apart from his kingly demeanour at Whitehall, over two years later, there is no period of his career at which he appears to so much advantage as when pressed by Queen, by Parliament, by Independents, and by Scots, simultaneously or successively, he stayed firm by his principles and defied them all.[1] Yet it cannot be said that he was a martyr in the cause of Episcopacy; for a little later, when he had an opportunity given him by the Army of saving his Church at the cost of tolerating Nonconformists, he allowed the opportunity to pass. The truth is, that Episcopacy, shorn of coercive power, and stripped of Laudian trimmings, had no great attraction for Charles; and that his violent antipathy to Presbyterianism was rooted partly in theology, but mainly in politics. His father's saying "No Bishop, no King," he thoroughly endorsed, and not all the paper pellets, made of Presbyterian polemics, which Alexander Henderson flung at him in the Scottish camp so genially and respectfully, could convince him that the aphorism was pointless, because untrue. Neither did the King succeed, by his elaborate essays on Episcopacy, in converting

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[1] The King's determination not to abandon Montrose or his English friends was so wholly admirable as to throw into greater relief his untrustworthiness in other respects. He never forgave himself for his desertion of Strafford.

Alexander Henderson. The wordy controversy must have been an unequal contest, though some Royalists had the hardihood to assert that Henderson was brought to a premature grave by the mortification he suffered in being beaten by Charles in argument! We find Baillie writing to a friend that "Mr Henderson is dying of heartbreak."[1] But the cause of the heartbreak was the *impasse* between the King and the Scots. Henderson, "who" (says Mr Lang) in his relations with the King, "conducted himself like a gentleman of honour now as always," was a greathearted man, keenly desirous of a reconciliation between the King and his Scottish people. He died while the King was still with the Scots; and when one says that his death was an irreparable loss to his country, one is employing not a conventional phrase, but stating a bare truth.[2]

The death of Henderson left the King with one genuine friend the fewer. Other influential Presbyterians, like Argyll and Lauderdale, who might have moderated clerical zeal in the Newcastle camp, were in London, keeping in close touch with Parliament. Argyll, by his great speech to the Parliamentary Committees in June, had given proof of his desire for tolerance in conjunction with uniformity—perhaps the most statesmanlike deliverance that ever came from his lips. For six years he had guided Scotland's destinies with clear insight; but the time of his supreme trial as a statesman was now approaching. Of Lauderdale's lay coadjutors in London, Warriston was devoted to Argyll by religious sympathies; and the Earl of

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[1] Dalrymple's *Memorials*, p. xxxvi.

[2] Henderson, who had been in bad health for years, died on 18th August 1646.

Loudoun (a Campbell), Chancellor of Scotland, was attached to him by the ties that bind a Highland clansman to his chief. Lauderdale's attitude towards Argyll was ill-defined, but his subsequent policy suggests that it did not suffer by an excess of cordiality.

These men (with the possible exception of Warriston) had no fanatical sentiment against Charles, such as excluded the idea of an accommodation. Therefore, when Charles turned to the Scots with a last despairing effort to secure their adhesion, it is impossible to believe that the concessions which he offered were not regarded by Argyll, Lauderdale, and Loudoun, as containing the germ of an agreement. His offer to give up the control of the Militia for ten years, and to grant Presbyterianism in England for a period of five years, if followed by the establishment of a regular Episcopacy, went a long way towards an acceptance of the Uxbridge propositions. But the Covenant stood in the way of an agreement. Charles refused steadfastly to accept it, and the Scots were equally firm in insisting upon its subscription. The King's proposals were found unacceptable, both to the Scots and the Parliament; and all negotiations came to an end.

What was to be done with a King who put himself up to auction with the tacit understanding that he was willing to knock himself down to the highest bidder, yet whose valuation of himself was so high as to discourage competition for his possession? The Scots had the advantage of physical possession, but it was, after all, a privilege that had its drawbacks. Unable to buy his conscience, they had now to dispose, in some manner, of his person. The Army was about to leave England. Could they take him to Scotland with them? It was quite impossible. Scotland would never have accepted an uncovenanted King, and civil strife would have been the certain result. The Scots were thus placed on the horns of a dilemma. They might have bowed Charles out of their camp, leaving him to go where he listed. Of his own accord he came to them; of his own accord he could go from them without let or hindrance. Superficially that would seem to have been the least reprehensible course to take. But were they, aliens in England,[1] with the King of England in their hands, at liberty to dispose of his person without the concurrence of their English Allies; and were they to run the risk, by an act of apparent generosity, of plunging the country afresh into fratricidal strife? These responsibilities were too heavy for them to assume; and there was no real alternative to the choice of the Estates when they decided, as they did decide, to leave Charles (as an English King) in the hands of the Parliament of England, after taking the necessary precautions for his safety.

That these precautions were not a sham is clear enough. When the Estates, sitting in Edinburgh, communicated to the Scottish Commissioners at Newcastle, their resolution empowering the Commissioners to deliver the King to the English Parliament (who had selected Holmby House, Northamptonshire, as his residence), they set forth the reasons for their decision (one being, strangely enough, to "satisfie the desire of His Majestie"), and stipulated that until the King should give satisfaction to both Kingdoms in the propositions of peace, "in the interim thair be no harme, prejudice, violence, nor injurie done to his royal persone."[1] According to Sir John Berkley, the Presbyterians in the English Parliament had secretly engaged themselves to the Scots that the Army should be disbanded, and the King brought to London with honour and safety.[2] Certainly the Scots had no reason to be apprehensive of the King's safety at the hands of their Allies. They could hardly demand from the English Parliament binding guarantees that they would treat their own King otherwise than with respect. He was hopelessly obstinate, and incredibly impracticable, so impracticable (for example), as to believe that a conjunction of the Covenanting Scots with Montrose, and with the English Royalists, was attainable.[3] But still he was a Scots King, as well as an English King, and a Stewart to boot; and no Scot would wilfully permit a hair of his head to be injured.

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[1] By the Common Law of England, Scotsmen who were born after the accession of James I. to the throne of England, became naturalized Englishmen, but in practice they were regarded as foreigners until the Union of 1707.

Yet the Scots permitted their national reputation to be sullied, by their clumsiness in permitting the delivery of their King to coincide with the delivery to them of a large sum of money. Actually, one transaction had no connexion with the other, but the Scots lamentably failed to observe the Scriptural injunction "to avoid all appearance of evil." Meanwhile, how was the transaction affected by the work of Lauderdale and his fellow-Commissioners in London?

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[1] *Acts of Par. of Scot.*, VI. pt. I. p. 660.

[2] Masere's *Tracts*, I. p. 358. According to Kirkton (p. 38) the Parliament had given the Scots "all imaginable security not only for the safety of his person but also for his freedom." See also Argyll's *Tract* dedicated to Cromwell (Kirkton, pp. 39-40), vindicating Scotland from the charge of selling the King.

[3] Whitelock's *Memorials*, p. 208.

CHAPTER VI

Throughout his career, application to business was one of Lauderdale's main characteristics. His worst enemies were never able to accuse him of lack of assiduity. And during the whole of his long life, it is probable that his industry was never more severely tested than when the future relations of the King with the Scots, and the English Parliament with both, were hanging in the balance. The Scottish Commissioners in London,[1] of whom Lauderdale was the guiding spirit, formed the link that connected the English Parliament with the Scottish camp at Newcastle, and with the Scottish Estates in Edinburgh. They were in London tò look after the interests of Scotland in general, and the interests of the Scottish Army in particular. The payment of that army was a perpetual subject of discussion between the Commissioners and the Parliament. Money was hard to find, and Parliament was reluctant to pay. As far back as May 1646 (the month in which Charles took refuge with the Scots), we find the Commissioners pressing upon Parliament the necessity of sending money to Newcastle, "and thus put an end to existing inconveniences and sad evils."[2] Soon afterwards, Parliament for the first time took the problem in hand seriously, and endeavoured to solve it by borrowing money to pay the Scots. It was believed, apparently, that the possession of the King's person, if embarrassing to the Scots, would nevertheless place them in a strong position in bargaining with the Parliament. Yet it is certain that on the Scottish side, there was no intention of making a bargain, or anything resembling a bargain, based upon the possession of the King. Before there was any question of Charles going to the Scots, or any question of disposing of his person, the Scots had been pressing for payment of the arrears due to their army. But no heed was paid to their remonstrances until Charles was in Scottish hands. Thereafter, the Parliament managed to find, not only the time to attend to the Scottish demands, but the money wherewith to satisfy them. In May 1646, the Commons resolved that the Scots be informed that the disposal of Charles lay with the two Houses. A fortnight later a resolution was passed that Parliament had no further use for the Scottish Army, and that a sum of £100,000 be raised to pay it off.[1]

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[1] The Commissioners in London at this time, were Lauderdale, Loudoun, and Johnstone of Warriston, with whom were associated the three ministers, Baillie, Gillespie, and Rutherford.

[2] Cary's *Memorials of the Great Civil War*, I. p. 81.

In the month of June, Argyll, then in London, joined the Scottish Commissioners in London in presenting papers to the Houses of Parliament, calling for money, supplies, and increased accommodation for their army. Also, they desired Parliament to send Commissioners to Newcastle —a suggestion which Parliament followed—to assist the Scots in coming to terms with the King, and to settle the accounts between the two Kingdoms, "that all forces may be disbanded, and the fruits of peace enjoyed by both nations."[2] These papers were supplemented by a declaration from the Earl of Leven, and his officers at Newcastle, professing their continued adherence to the Covenant, and to the union between the two Kingdoms; and protesting that as they came to England from "affection," and not in a mercenary way, so they were willing to return home; and that want of pay would be no hindrance.[1] Parliament confirmed the vote, passed in the previous May, that the services of their "brethren," the Scottish soldiers, were no longer required in England. Commissioners were appointed by Parliament to treat with the Scottish Commissioners, and in August they presented their report. They had reached an agreement with Lauderdale and his colleagues (who had claimed £500,000), to pay £400,000 in full settlement, of the Scottish claims for arrears of pay and sustenance; of which sum £200,000 was to be paid on the departure of the army for Scotland, and the remaining moiety at the end of twelve months.[2] In the same month (August) we find Baillie telling a correspondent that the money for the army must be borrowed in the City, and (he adds) "here will be the question: they (the Parliament) are our loving friends, but before they will part with more money, they will press hard the disbanding of their owne armie as ours. If they obtain this, the Sectaries will be broken; if they obtain it not, the pride of the Sectaries will be intollerable."[3] On the same date (18th August), Baillie confides to another correspondent, his fears for the outcome of current events. The King "never did any good turne in due tyme; our people, I fear, be a snare to him." And as for the general state of the country: "blasphemous heresies rage without any controll to this day; warnings are clear and zealous; but a few who make it their work to patronize and advance a horrible libertie, marrs all."[1] "God help us" (he adds lugubriously), "we had need to pray; never people nearer to a bottomless pitt of horrible evills. I am exceeding weary of this life, and as soon as I can, will beg leave to be gone."

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[1] Whitelock, pp. 203 and 206.

[2] *Ibid*, p. 213.

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[1] Whitelock, p. 214.
[2] *Ibid.*, p. 220. The original claim was for £2,000,000.
[3] *Letters,* II. p. 391.

The truth is that what Baillie, and his fellow-ministers of the Presbyterian persuasion, feared more than anything else—now that Episcopacy was temporarily a spent force—was the dominance of the "Sectaries" with their notions of a "horrible libertie"; their "blasphemous heresies"; and their general disregard for Divine Right either in Church or State. As already remarked, Lauderdale detested the politics, rather than the religious tenets, of the Independents. He was never a genuine friend of democracy, though his views were liberal. Had he lived in the eighteenth century, he would have been one of the great Whig Peers.

From motives, therefore, that were not identical, Lauderdale and Baillie were at one in the necessity for guarding against any step being taken, that would leave both countries at the mercy of the Independents. If the Scottish Army were disbanded, Parliament, he foresaw, might be placed under the heel of the New Model, and consequently of the "Sectaries." Parliament's vote for the dismissal of the Scottish Army was a premature step to take, because it was unaccompanied by the disbandment of the New Model.

But it was unfortunately the case that the irreconcilable elements on both sides, which finally severed the friendly relations between the two Kingdoms, were growing daily more influential. An estrangement had set in, which was intensified by the King's presence with the Scots, and by the resentment felt by the English nation against the continued presence of the Scottish Army in England.[1]

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[1] *Letters*, II. p. 392.

Lauderdale's task was a heavy one. He had to allay national animosities; persuade Parliament against ill-considered precipitancy; and prevent his country from being made the victim either of financial injustice, or of political chicanery. Above all, he had to exercise a large measure of patience. In the attainment of these objects, he met with gratifying success, though he had to travel a rough road before any one of his aims was definitely achieved.

Meantime, no progress had been made in settling the disposal of the King's person. But a month after the agreement had been reached for paying the Scottish Army, Baillie tells a correspondent that Parliament had voted for disposing of the "King's person as their two Houses shall think fitt without any reference to us." The Scots had expected (so Baillie writes), that the first moiety of the £400,000 would have been placed in their hands within a fortnight; the "Sectaries" army disbanded; the "Sectaries" humbled; and heresies exterminated; but "the King's obstinacie is like to marr all."[2] And that obstinacy, in Baillie's opinion, was not due to principle. "No man," he writes, "thinks that his (Charles's) denyall of our desyres is either of conscience or honour."[1] In October, Baillie writes that Parliament still adhered to its view about the disposal of the person of "the most careless and ill-advysed person in the world."[2] That view was stoutly opposed by the Scottish Commissioners. "In three solemn meetings," says Baillie, "the Chancellour (Loudoun), Warristone, and Lauderdale did so out-reason them, that all the hundreds of hearers did grope their insolent absurdities."[3]

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[1] The North of England had grown extremely restive under the hardships unavoidably entailed by the presence of an alien army, obliged to make exactions because its pay was not forthcoming. In some cases, collisions, accompanied by loss of life, occurred between the Scots and the people of the North (Whitelock, p. 204).

[2] *Letters,* II. p. 402.

So here we find Lauderdale and his colleagues, in October 1646, engaged in a dispute with the English Houses of Parliament over the disposal of the person of the King, and getting much the best of the argument. On 1st December, the "single great question" before Parliament was "whether the Kingdom of Scotland had any right of joint exercise of disposing of the person of the King in the Kingdom of England."[4] A paper battle had been raging between the Parliamentary Commissioners and the Scottish Commissioners on this question. In a contest of this sort, Lauderdale and Warriston were particularly well able to hold their own.[5] Contemporary evidence seems to point clearly to the conclusion that alike in political dialectics, in theological disputations, and in ecclesiastical polity, England, at this period, was content to sit at the feet of Scotland, in spite of some outstanding English figures in those realms. The easy assurance of the Scots in London was typified by the condescending attitude of Baillie towards the Londoners. Clearly he realized that Presbytery was needed as a wholesome discipline for such a giddy people.[1] Clarendon disliked the Scots, as much for their "guid conceit" of themselves as for anything else.

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[1] *Letters*, II. p. 401.

[2] *Ibid.*, II. p. 402.

[3] *Ibid.*, II. p. 403.

[4] Whitelock, p. 229.

[5] "Allwayes," says Baillie (II. p. 412), "paper debates are the least of our care; we never yet lost at that game."

It was not, however, "guid conceit" that dictated the Scottish demand for an equal right with the Parliament in disposing of the King's person in England. Their right of taking him to Scotland, and there disposing of him as they pleased, was beyond cavil. But that course, it was now realized, the King's obstinate refusal to take the Covenant had rendered impossible. There was something to be said for the Parliament's point of view that the Scots, though allied to England, had no title, while on English soil, to dispose, as they willed, of England's King; that was the business of England's Parliament. On the other hand, the Scots had the strongest argument of all: possession. And when possession is backed by force which inspires respect, this argument has a way of carrying conviction that sometimes proves irresistible. Thus the Scots had excellent security for the payment of the £400,000 voted by Parliament.

Lauderdale and his companions had, in fact, clearly manœuvred the Parliament into a position from which the latter negotiated at a disadvantage. Before any questions could have arisen about the King's disposal, they had utilized the mere fact of his presence in the Scottish camp to press on the Parliament their just demands with the vigour required by the new conditions. The Parliament, shamefully neglectful of its debt to the men who had been its saviours, suddenly assumed a virtue that it did not possess; and in order to get rid of the Scots, came to an agreement, as we have seen, with the Scottish Commissioners in London.

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[1] The following extracts from Baillie's *Letters and Journals* are illuminating: "There is among this people but little courage, less providence, and no discipline at all. If God help not us to save them, they are desperate" (*i.e.* in desperate straits), II. p. 126. And again: "The humour of this people is very various and inclinable to singularities, to differ from all the world, and one from another, and shortly from themselves. No people had such need of a Presbyterie" (II. p. 177). And yet he says (II. pp. 413-4): "This is the most incomparablie best people I ever knew, if they were in the hands of any governors of tolerable parts."

It was an agreement unaccompanied by any conditions, reservations, or declarations, about the King. In the preliminary discussions that took place in the Painted Chamber, between the Scottish Commissioners and those of the Parliament, in the presence of all the members of both Houses, the Scots declared that they were there to treat for the removal of their army; the delivery of the English garrisons held by their countrymen; and the payment of arrears due to their armies in England and in Ireland. They were not there, they protested, to treat about the disposal of the King's person. When an agreement was finally reached, the first article of the treaty that passed under the Great Seal stated that nothing relating to the King's person was concluded on it.[1] Thus did Lauderdale and his coadjutors safeguard themselves against any imputation of bargaining with the Parliament for the possession of Charles.

They had secured a satisfactory settlement, the sole "consideration" for which consisted in the past services of their army to the Parliament. Whatever course their country might take in the future concerning the disposal of the King's person, the agreement reached on the question of arrears must remain undisturbed, unless England, by its Parliament, was prepared to dishonour its contract with Scotland. And that Parliament had no intention of making the two sets of factors interdependent, is shown by a vote passed on 18th September 1646.[1] The Scots had the means in their power of checkmating any knavery that the Parliament might attempt; for they held the winning card in the game. They were in so strong a position, that all they had to do was to play their King on the Parliament's Knave.

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[1] Burnet's *Dukes of Hamilton*, p. 377.

Lauderdale and his associates cannot be held in any way responsible, by lack of care, for permitting Scotland to suffer the odium of having sold her King for cash down, (or partly cash down). The conjunction of circumstances was unfortunate for Scotland. The English nation, prejudiced against the Scots, and uninstructed in the facts, was only too ready to place the worst construction upon the coincidence between the delivery of the King, and the transfer of gold. The Duke of Hamilton had warned the Committee of Estates of this very thing if they gave Charles up; and when the decision was actually taken, Hamilton's brother and successor, the Earl of Lanark, declared that it was "the blackest Saturday that ever Scotland saw."[2] By the bitterness with which he expressed his disappointed feelings, Charles himself encouraged the belief among his incensed followers that the Scots had made a bargain for him. "He thinks," wrote the Earl of Panmure on 23rd January 1647 to Warriston, "that the Scots have sold him at too cheap a rate." "If," comments Panmure,

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[1] Parliament voted "that no consultation touching His Majesty's person should hinder the march of the Scots Army out of England, nor violate the treaties, and that the King's person should be disposed of as both Houses of Parliament should hold fit" (Whitelock, p. 222).

[2] Burnet's *Dukes of Hamilton*, pp. 366 and 397.

"our posterity find not the smart thereof, 'tis well."[1] Those words were prophetic.

The coolness of the English Parliament towards the Scots is shown by its behaviour to the Scottish Commissioners, when they left London for Scotland in December 1646. Burnet tells us that they were thanked for their "civilities," but not for their "good offices," as originally proposed. "And so," comments Burnet, "all those noble characters they were wont to give of the Scottish Commissioners upon every occasion concluded now in this: that they were well-bred gentlemen."[2] It was not long, however, before improved relations were perforce established, the unifying factor being fear of the New Model, and all that it implied. It was reported in February 1647, that Argyll and Lauderdale were coming to London to treat about a union of the two Kingdoms.[3] In April, four Scottish Commissioners, of whom Lauderdale was the leader, arrived in London, to concert measures with the Presbyterian chiefs for dishing the Army by persuading the King to accept the Newcastle programme. Clearly the Committee of Estates, with Argyll at its head, was beginning to shake itself free from the domination of the Kirk. If the Newcastle propositions still proved unacceptable to the King, Lauderdale was secretly empowered by the Committee, to abandon the demand that Charles should take the Covenant, and to accept from him a temporary adoption of Presbyterianism for England.[1] Had the Kirk known that the Covenant was to be shelved, there would have been an outcry. This shifting of the Scottish standpoint from that of the previous year, when insistence upon the Covenant was the keystone of the demands upon Charles, was due to the pressure of events. Dimly through the mists of political and religious prejudice, the Presbyterian majority in the Houses of Parliament were beginning to perceive the growth of a new and threatening force, as yet inchoate and silent, but soon to become clearly defined and unpleasantly vocal. As yet, a challenge, much less an overthrow, by this new power was not dreamed of. To-day the Parliament was the Army's employer; but to-morrow the servant was to be the master, and the master the servant.

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[1] Dalrymple's *Memorials and Letters*, pp. 190-1. Few events of the Civil War have given rise to a greater diversity of opinion as to the morality of the transaction, than the delivery of the King, by the Scots, to the Parliament. The views of the greater number of historians have been coloured by their political sympathies. Some of those who have been most vociferous in shouting "Traitor Scot," have been Scots themselves (*cf.* Mr Lang's account), while some of the most dispassionate estimates of the transaction have been by English writers (*e.g.* Hallam and Gardiner). The two following opinions, the first written for a work demanding rigorously careful statement, and the other for a "popular" history, may be placed side by side with advantage. "They," (the Scots), "rendered up the King because he refused to assent to the only terms which would have enabled them to raise their fellow-countrymen on his behalf." Thus say Dr Prothero and Colonel Lloyd, very justly, in the *Cambridge Modern History* (Vol. IV. p. 340). "The Parliament induced the Scots to surrender the King on receipt of £400,000, which they claimed as arrears of pay." Thus says Sir William Smith in his *History of England* (30th edition, p. 240), for the masses. This is the "theory of the groat" in a pronounced and grotesquely inaccurate form. We have the contemporary testimony of Argyll, reinforced by that of Denzil Holles of the English House of Commons, to the cleanness of Scottish hands in the transaction.

[2] *Dukes of Hamilton*, p. 394.

[3] *Calendar of the Clarendon State Papers*, pt. I. p. 363.

There is no phase of the Civil War more fully charged with political fatuity than when the Parliament attempted to treat the New Model Army as if it were composed of ignorant and irresponsible mercenaries, instead of citizen soldiers of strong intelligence and deep convictions. By its attitude towards the Army, Parliament compassed its own destruction. By its higgling policy on the question of the arrears of pay due to the soldiers; by its resentful reception of the Army's just remonstrances; by its complete failure to read the letters of fire in which the history of their country was being written — the predominant party in the English Parliament of 1647 went unseeing, unheeding, and uncomprehending, straight to its richly deserved discomfiture, and ultimately to its complete obliteration from public life.

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[1] The Scots were prepared to accept the propositions that had been made to the King in the previous January through Bellièvre (who took over the French Agency from Jean de Montreuil) and the Queen. The main conditions were: (1) Presbyterianism for three years; (2) Control of the Militia for ten years.

The disbandment of the Army, so eagerly desired by Parliament and Scots alike, could probably have been secured had the soldiers' rights been respected. But the Parliament having made an initial mistake, persisted in its blunders, hardened its heart against the New Model, and closed its eyes against its own danger. The soldiers got neither their pay nor their indemnity. Meanwhile the King was watching events from Holmby House. He was aware of the growing estrangement between Parliament and Army, and between the Presbyterian majority and the Independent minority in Parliament itself. He was aware of the ominous appointment by the soldiers, of Agents to represent them, and to agitate for the redress of their grievances. He saw this movement gradually developing from a petition to Parliament for pay, to a demand from Parliament for political revolution. The "Levellers" were now fearlessly advocating their views; and even the Levellers gradually split into two sections: the Radicals with practical aims, as represented by the politics of "honest John" Lilburn, and the Socialists with impossible ideals, as represented by the doctrines of Harrison.

All these developments of the drama, as they slowly unfolded themselves, were watched by Charles with but one aim: how to turn them to his personal advantage. But there was another man of keen vision and resolute courage watching them no less intently; and that man was Oliver Cromwell.

Had there been no Oliver Cromwell to shape events, it can scarcely be doubted that ultimately the King would have been restored, possibly with unabridged power. A conflict between the Army and the Parliament would have been precipitated; anarchy would have followed; and in the resultant welter of parties, temporary alliances, based upon the restoration of the King as the only possible rallying-ground for the friends of peace and order, would probably have been formed, and would have received the nation's support. Cromwell, with his conservative instincts, desired no revolution. Less democratic than Ireton, he refused his unqualified assent even to the statesmanlike document known as the "Heads of the Proposals" while the "Agreèment of the People" of the Levellers contained doctrines that were absolutely repugnant to him. But he was essentially an opportunist, though not of the breed of politicians whose opportunities are their opponents' extremities. He was the most sagacious statesman in England. He saw with clear sight when a certain thing had to be done; and then, but not until then, he did it, unhesitatingly, ruthlessly, finally. For when that stage was reached, he claimed that it was not he, Oliver Cromwell, who acted of his own volition, but God who used him as his instrument. He has been called hypocrite and fanatic, times without number. Even his Puritan contemporaries often distrusted him (and with good reason); sometimes disliked him[1]; and always feared him. His emotional nature was scoffed at; his religious exercises were ridiculed. "He," said Lilburn, "will weep, howl and repent, even while he doth smite you in the fifth rib." But this "greeting deevil," as a Scots writer called him, never wept after the fifth-rib smitings of Naseby, of Drogheda, of Dunbar. He wept that other people were blind, while he alone saw. An enigma Cromwell must remain in some ways; but it would be hard to deny that during the whole of the year 1647, a peaceful settlement, however attainable, of the political and religious questions that divided England into warring camps, was the main goal at which he aimed steadfastly but unsuccessfully. When, finally, he took the step that henceforth identified him with the cause of the Army, he took a step that changed the face of history.

That step was quickened by impending action on the part of the Presbyterian leaders. In May they were devising, with Bellièvre and the Scottish Commissioners, a scheme for overawing the soldiers, and for mastering all opposition to their Royalist designs, by bringing in another Scottish army to England, taking the King to London (the centre of Presbyterian influence), and secretly removing a train of artillery from Oxford. The Scots, as a nation, were not liked by Cromwell, mainly because of their religious intolerance; but "moderate" Parliament men, such as Manchester (Baillie's "sweet, meek man"[2]) in the House of Lords, and

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[1] This dislike shows itself in Mrs Hutchinson's *Memoirs*, which may be taken as reflecting the views of some of Cromwell's closest associates.

[2] It was Manchester who (to quote Baillie) "made two fair bonfyres" at Cambridge of "such trinkets" as "images and organs," of which "Pauls" and "Westminster" had been "purged." Baillie, by the way, joyfully acclaimed the fact that the Houses of Parliament had "profaned" Christmas Day by sitting on "that holy day."

Holles, in the House of Commons, who were true-blue Presbyterians, might be depended upon to give their whole-hearted support to their Scottish friends.[1] But their Scottish friends had their own views, which did not coincide at every point with those of the English Parliamentarians. Lauderdale and his followers hated the Levellers, but probably they had cause to fear the moderate Independents more—a correspondent of Lauderdale's warns him in that sense—and they saw plainly that the game was going in favour of the Sectaries, because the Army was theirs completely. Therefore a swift *coup* for securing the King, and placing him in the safe Presbyterian keeping of the City Militia, was required to do their business. But Cromwell—the most dangerous of the "moderate" men—and the Army were too quick for them. They were forestalled everywhere: in seizing the artillery, and in removing the King. Cornet Joyce, the Sectary, replaced Colonel Graves, the Presbyterian, at Holmby House, and Charles was now, in very truth, the prisoner of the Army. From Holmby House, the King was taken by Joyce to Newmarket, where the Army, now joined by Cromwell and Fairfax, assembled in a mood which plainly showed that they meant business.

Clearly there was no time to be lost by the Presbyterian leaders and their Scottish associates, if the intentions of the Army were to be foiled. Lauderdale, with the Earl of Dunfermline, had previously obtained permission to visit the King at Holmby House, and had then registered a formal protest against the forcible detention of Charles. He got a pass to visit Charles at Newmarket, the Presbyterian Parliamentarians, equally with the Scottish Committee of Estates, being convinced that for persuading the King to accede to their views, no better choice of an Agent could be made. In the month of June (1647), an interview took place with no satisfactory result. Meantime the climax in the relations between the Parliament and the Army was being swiftly reached. The safest place for the King was in the City of London, which was predominantly Presbyterian, violently anti-Independent, and nascently Royalist.[1] But the Army was moving towards London; it was soon to terrorize the City and the Parliament alike, and to chase away the obnoxious Eleven Presbyterian members who led the opposition to the soldiers' demands.

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[1] Manchester complained to the House of Lords (in Decr. 1644) of Cromwell's "animositie against the Scottish nation, whom I affect as joyned with us in Solemne League and Covenant and honor as joyntly instrumentall with. us and the common cause." (*Tanner MSS. in Camden Miscellany*, v. 8, p. 2.) Manchester and Holles were evidently of Bacon's opinion, that the Scots were "in their capacities and understandings a people ingenious, in labour industrious, in courage valiant."

These demands, in so far as they affected the King, were marked by studied moderation. They were, as Charles confessed, much more acceptable to him than the requirements of Parliament. They conceded, in effect, all that a constitutional monarch could desire in civil affairs, and all that a private individual could claim in the sphere of personal religious liberty. But Charles had no desire to reign as a constitutional king, and he had no intention of conceding complete religious toleration to his people. The negotiations between the King and the Army, at this stage, form a crucial test of the real aims of Charles. They are illuminating, as showing a King, untaught by adversity; unshaken in his belief in the Divine Right of monarchy and of Episcopacy; unswerving (as a corollary of Divine Right) in his devotion to the principle of absolutism in Church and State; unashamed of humiliating detections in duplicity; and undeterred by past failures, in his determination to use all parties as dupes, on whose shoulders he might hope to climb into power in the end. But (to adapt Lincoln's phrase), Charles discovered, when too late, that while he could fool one party some of the time, and one section of a party all the time, he was never able to fool all the parties all the time; and that was the measure of his failure.

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[1] The Remonstrance presented to Parliament from the Lord Mayor, Aldermen and Common Council in May 1646 demanded the suppression of "private and separate congregations"; the prosecution of "Anabaptists, Heretics and Sectaries," and the exclusion from any place of public trust of all disaffected towards Presbyterianism. The Remonstrance was "not liked" by the House of Commons (Whitelock, p. 206).

Thus Lauderdale could not hope to succeed in inducing Charles to enter heartily into his views, and those of the parties whom he represented. Nor can it be supposed that the conversion of Charles to those views was ever really contemplated. If the King's object was to make dupes of Parliament and Scots, the object of Parliament and Scots was no less to make a party-focus of the King. Charles was shrewd enough to see that at this particular stage, he was "necessary" to all the parties. He boasted of the fact to Iredale, whose blunt rejoinder was a warning of disconcerting significance. A year and a half later, the Army decided that Charles was no longer necessary, either to them or to England. But at the middle of the year 1647, the competition that was set up for the possession of his favour had the inevitable effect of inducing him to increase his price. The demand for kingly favours, in fact, was in excess of the supply. For the real struggle now lay, not between Charles and his people, but between the New Model and the Parliament, with their Scottish quasi-allies. The real masters of the situation were the soldiers, and the fundamental mistake made by King and Parliament alike, was their extraordinary and fatal blindness to that fact, and all that it involved. But Cromwell saw it with his usual clear sight.

Lauderdale saw it too. From the beginning he had striven to inflame the Scottish Kirk against the Independents.[1] The man whom he feared above everybody else was Cromwell, who "hoped to live to see never a nobleman in England." For if England were deprived of its nobility, what might not happen in Scotland also? Gossip had been busy in England recently about reports of a growing current of Royalist feeling in Scotland. Lauderdale, it was said, had gone with a letter from the King to the Prince of Wales, who was to head a Scottish Army, which was to march into England to rescue the King. The Scottish Army however, was not yet in the making; not for another year; and during that year, Lauderdale was one of the busiest men in either of the two Kingdoms.[2]

In July 1647, he had an interview with Charles at Latimer's Cross, a stage on the King's journey to Woburn Abbey. The subject of their conversation was armed assistance from Scotland, and the terms of that assistance. Lauderdale had little love for the Parliament, but he had less for the King,[3] and he had none at all for the Army. These degrees of dislike indicated the general trend of his diplomacy. Charles was only a temporary necessity for the attainment of other ends. What were those ends? To restore absolutism in Church and State? Assuredly not. To serve the interests of the Parliament of England? Just as certainly not. For England and for Scotland the problems to be solved were not quite the same. The New Model, if it prevailed, as prevail it must in its controversy with Parliament, unless overawed by a display of Scottish force, would infallibly democratize the constitution and secure religious toleration for all Protestants.

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[1] Burnet's *Dukes of Hamilton*, p. 399.

[2] His private purse was used for national purposes. The Scottish Parliament made an order to repay him the sum of £22,920 (Scots) "lent by him and his father to the public."

[3] Burnet's *History of His Own Times* (1839), p. 70.

The majority of the English people would have acclaimed peace, with, or without a King, on those terms. But the majorities in the Houses of Parliament were not prepared for such radical changes, whether the monarchy was restored or abolished. In Scotland, the nobility feared the political propaganda of the New Model, and (as a body), were indifferent to its demands for religious toleration. The Scottish people, led by the clergy, were, as a body, indifferent to the politics of the English soldiers, but were fiercely intolerant of their toleration. How to reconcile those warring ideals; how to hew the rough blocks of granite, and to fit them in with the dressed and polished stones; how to cement them all with patriotism into a national building, the corner-stone of which should be Charles, the King of Scottish descent; such was the problem, the solution of which was now Lauderdale's difficult task. He attempted to perform it by concentrating his aims upon the preservation of the Scottish nobility, and the glorification of the Scottish nation.

He believed, when at Latimer's Cross, that he was on the eve of a preliminary success. He induced the King to write a letter to the Committee of Estates, stating what concessions he was prepared to make in exchange for armed assistance from Scotland. Sir John Chiesly, the Secretary of the Scottish Commissioners in London, was to be the bearer of this letter to Edinburgh, and Lauderdale had good hope of its forming the basis of a treaty. Dr Gardiner believes that he was acting in concert with the "Eleven Members," who were still in England.[1] That may well have been the case. But once more the watchful Independents defeated the project, ere it was well hatched. Lauderdale encouraged the King to think that Scottish help might be expected. He went to Woburn to visit Charles, who was then at the Abbey. On the night of the 31st July, he was roused out of bed by the soldiers, and sent about his business without being allowed to see the King at all. And Chiesly, his messenger, was seized by the Governor of Newcastle.

Lauderdale was furious at being forcibly prevented from seeing the King. He protested vehemently against a violation equally of the Treaty with Scotland, and of the law of nations by an affront placed upon him, a member of the Committee for Both Kingdoms and a public servant of Scotland; but his protest was unavailing. He lodged a complaint with Parliament, and because no reparation was made, he kept away from Westminster for some time.[2] His brother-Commissioners

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[1] *History*, III. p. 335. Holles, the principal of the Eleven Members, was strongly pro-Scottish. His *Memoirs* (see *Maseres Tracts*, I. pp. 191-310), furnish the most effective advocacy of Scottish policy and claims that is to be found in contemporary records.

[2] Burnet, *Dukes of Hamilton*, pp. 405 and 410.

(Erskine, Kennedy, and Barclay), likewise lodged a protest, both against the ill-treatment of Lauderdale and the seizure of Chiesly. "A high infringement of the law of nations"; so they designated these high-handed proceedings. They threatened that unless reparation was made, they could not remain in London as Commissioners.[1] Finally the quarrel was patched up, and Lauderdale continued to be a member of the Committee for Both Kingdoms until January 1648. But the vigilance of the Independents, and the pressure of events, hurried him forward into planning the treaty for restoring the King, with Scottish aid, that is known in history as *The Engagement.*

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[1] Cary's *Memorials of the Great Civil War*, pp. 337-339. This incident was afterwards stated by Lauderdale's enemies to have been the cause of his turning Royalist.

CHAPTER VII

THE summer of 1647 was a time of trial for Scotland. At home, pestilence stalked through the country, all the schools and colleges, except those in Edinburgh, being closed.[1] In England (according to Scottish notions), a pestilence was also scourging the people; the "pestilent" Independents, "these serpents, enemies to God and man," as Baillie (who was not an unamiable person) calls them; "these tyrannous hypocrites," as he terms their Parliamentary sympathizers.[2] Nevertheless, the Scottish Commissioners in London, at the beginning of September, were still working in outward harmony with the Independent members. They represented their country in the joint propositions made to, and rejected by, the King at Hampton Court on behalf of the Parliament of England and the Kingdom of Scotland.[3] These propositions were simply a revival of the "Newcastle programme," to which Charles had already refused to subscribe; and Lauderdale knew better than any of his colleagues that this rejection was assured beforehand.

At this point, co-effort between the Parliament and the Scots was tacitly dropped; and later (in September) the Scottish Commissioners are found disapproving of new proposals made by the Parliament to Charles. Thenceforward, it was pretty well understood that separate negotiations, though covertly conducted on the part of the Scots, were proceeding simultaneously. This knowledge widened the breach between the allies, until finally, early in 1648, the Scottish element in the Government of England was eliminated, and the alliance, in effect, was dissolved by the formation of the Derby House Committee (consisting of English members only) in substitution of the Committee for Both Kingdoms. Also, at this time, the influence of the Argyll party in Scotland waned, in proportion as Royalist sympathies waxed in volume. The Duke of Hamilton, whom his countrymen (strangely enough) believed to be an abler man than Montrose,[1] was at the head of the Royalist movement in Scotland, and his brother, the Earl of Lanark, worked with Lauderdale[2] in England in serving the same interest. That interest, in Lauderdale's case, has already been examined, and there is no reason to doubt that Hamilton's aims were in harmony with those of Lauderdale. But there was this difference between the views of the two men: Hamilton was a genuine Royalist, who believed that the causes of his caste, his country, and his King, were inseparable; while Lauderdale laboured under no such delusion. In his view, under certain circumstances, all three might be mutually antagonistic. He believed, too, that the alliance between them, which he sought to cement, could be only a temporary convenience to secure certain definite ends for each of the allied factions. With Lauderdale and Lanark were associated the Earl of Loudoun, Chancellor of Scotland and Argyll's clansman.

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[1] Baillie, III. p. 18.

[2] *Ibid.*, pp. 10 and 21.

[3] *Calendar of Clarendon Papers*, I. p. 388.

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[1] Montrose, "who (as his countrymen say) is a generous spirit but hath not so good a headpiece as Hamilton." (Carte, I. p. 19.)

[2] There is a curious entry in the *Cowper MSS.* (p. 341), dated 4th February 1644, on which I have not found other contemporary light. It reads: "The Earl of Lannerick is delivered into the hands of the Lord Maitland (as Lauderdale then was), Commissioner from Scotland, to be by him conveyed into Scotland."

Until misfortune opened his eyes to the error of his ways, and induced him to return to the Campbell fold, Loudoun lent himself to schemes that were directly opposed to the policy of his Chief. These three men—the three L.'s—were henceforth the Scottish Commissioners, who alone counted in negotiating with the King, the commoners on the Commission, Erskine, Kennedy, and Barclay, retiring completely into the background. This is a proof, if proof were required, that the new Royalist movement was engineered by the Scottish nobility. But in the autumn of 1647, Royalist influence in Scotland was manifestly less pronounced.

Early in October, the "three L.'s" went to Hampton Court on a secret visit to the King. They told Charles that if he would only give satisfaction to Scotland in the matter of religion, he could dictate his terms. Failing that concession, they could see nothing in prospect but the stubbornest opposition to their projects for helping him. Yet they were resolved to carry Charles off from the Army, if at all possible.

Soon afterwards, the King was hunting at Nonsuch (near Ewell, in Surrey), when, to the alarm of the small guard escorting him, Lauderdale and Lanark appeared upon the scene with a body of fifty horse. They urged Charles to make his escape with them, to what destination we are not informed. But the King had given his parole to the Army, and would not break it.[1] Truly an illuminating example of the nice discrimination shown by Charles between personal and political honour. Where his personal honour was concerned, he was sturdy as an oak; where politics touched his honour, he was flexible as a willow. His refusal to avail himself of the help of the Scottish Lords dislocated their plans, and the opportunity of carrying off the King never recurred. On the pretext that the Levellers had designs on his life, the Army leaders, warned by recent events, strengthened the guard, and thus made attempts at rescue difficult or impossible.

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[1] Burnet's *Dukes of Hamilton*, p. 411.

Charles regretted having given his parole, whereby he had lost an opportunity of escaping. Consequently he withdrew it—as usual, when too late. He sent for Lauderdale and Lanark to take counsel with them. What would they advise him to do? Lauderdale replied, with Scottish caution, that matters were now so grave that it was unsafe to give advice; but if Charles would state his own views, he would give his candid opinion of them. The King then said that he was in favour of going to Scotland. Lauderdale at once told him that unless he gave in to the dominant Kirk (Argyll's) party, his experience at Newcastle would be inevitably repeated. Seeing that concession to the Kirk involved taking what Cavaliers called the "damnable" Covenant, Scotland was at once shut out from the King's plans. It is a remarkable example of the psychological twist that marked so many of his conceptions, that after all that had passed, Charles could still believe that the Scottish people would welcome him as an uncovenanted King, with open arms, if once he appeared in their midst. But Lauderdale having convinced him of the impossibility of Scotland, Charles then suggested London as a place of safety. Lauderdale's reply was that although at one time, safety could have been found in London, the City was now so overawed by the Army, that it would be imprudent to venture there: his arrival would certainly cause disturbances. The King then asked whether he could depend upon the faithfulness of the Scottish Commissioners, as representing the Scottish nation. Lauderdale answered that the services of the Commissioners, as individuals, and as loyal subjects, would be always at the King's disposal; but that without instructions from Scotland, they as Commissioners, were powerless to act on his behalf; and that he greatly feared the dominant Kirk party in Scotland would not order them to commit themselves to his cause (unless he conceded their demands). Lauderdale was nothing if not candid; the objections he urged against the King's proposals were dictated by a clear sight and a cool judgment. He was resolved not to let Charles remain the victim of any illusions if he could help it, and thus sought to perform the most valuable service that could, at that time, have been rendered to a King who forgot nothing and learned nothing.

As a final proposal, Charles suggested Berwick, and Lanark, who had until then remained silent, eagerly welcomed the suggestion. "For God's sake," he urged, "let Berwick be chosen." Forthwith he developed the arguments in favour of that place. If the King left England, the Army would brand him as a deserter to his country, and would depose him.[1] If he went to Berwick, he would still be in England; it was a strong place and in the midst of a well-affected people, from whom a powerful garrison could be drawn; and above all, he would be near Scotland for "the encouragement" of his party there. In these views, Lauderdale concurred. But Charles never reached Berwick.[1]

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[1] Conceivably that argument may have carried some weight at the time the disposal of the King was under discussion at Newcastle.

In the same month (Oct.), as these conversations were taking place, Charles was also looking to Ireland for possible relief. One of the visitors at Hampton Court was the Marquis of Ormonde, the King's most faithful supporter among the Irish Royalists. Charles told Ormonde there was a design to bring him to trial, and to "cut him off." That design could only be defeated by an invasion from Scotland, which should coincide with a diversion to be attempted by the Marquis in Ireland. Therefore Charles ordered Ormonde to confer with Lauderdale and Loudoun (Lanark was apparently engaged on other business), on the project.

Thus the hints of a Scottish invasion of England under the auspices of the Scottish nobility, and with the approval of the leaders of the English Presbyterians, were taking practical shape in the autumn of 1647; but much remained to be done before the plans were ripe. The Army and Parliament were cognizant of these underground Royalist workings, though of the direction in which they might ultimately show themselves on the surface, they were necessarily ignorant. Both Houses of Parliament issued an order that all Cavaliers and "Malignants" were to withdraw themselves from London. As one of those affected by this order, Ormonde had to communicate with Lauderdale and Loudoun by means of his Secretary, who was instructed to say that Ormonde would go to Lord Paget's house near Marlow, where he would stay until he heard from them. The Secretary was asked to tell Ormonde that Lauderdale and Loudoun would go to Henley in a few days, when they would arrange a meeting. The proposal of the King was that after conferring with the two Scotsmen, Ormonde should proceed to France to consult with Prince Charles, and receive directions from him about repairing to Ireland, there to co-operate with Lord Inchiquin.

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[1] Burnet's *Dukes of Hamilton*, p. 412. The information in the text was supplied to Burnet by Lauderdale himself.

The day after he sent his message to the Scottish nobles, Ormonde, accompanied by the Countess of Holland, set out in her Ladyship's coach for Lord Paget's house. They had an adventure on the way. A gang of highwaymen, who, at that time, infested the neighbourhood of London, had posted themselves near Henley Wood, where they pounced upon all the travellers who were worth their attention, and relieved them of their valuables. As Ormonde and Lady Holland approached Henley Wood, they were told of several people who had been robbed that afternoon on their return from Henley. They were now, in fact, less than a quarter of a mile from the highwaymen, who were ten in number. Lady Holland had a box of jewels valued at £2500, which, for better security, she had handed over to Ormonde's care. The news about the highwaymen alarmed her greatly. Ormonde, like the gallant Irishman that he was, rose (literally) to the occasion. He mounted his horse (which had been led by a groom), drew up his five servants and prepared to cut a path[1] through the ten robbers, who barred the way. Then a strange thing happened. Ormonde was recognized by the highwaymen, who called out, "God bless your lordship; we have nothing to say to your lordship, for you are as poor as we"; and the Marquis, with the jewels and his fair charge, was allowed to proceed unmolested on his journey.[1]

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[1] Cavaliers were prohibited from using firearms.

After three days' "jollity" with Lord Paget, Ormonde received a letter from Lauderdale and Loudoun, who were then at Henley Castle, asking him to meet them in "a little coppice wood between Marlow and Henley," on the following morning. Accordingly, next morning at seven o'clock, he was about to start on horseback to the rendezvous, when Sir Henry Leigh, "a good fellow and a pleasant companion of my Lord Paget's" swore he would accompany him, although he knew that Ormonde had forbidden any of his servants to go with him. Ormonde got rid of the bore in rather a neat fashion. He called him aside and thanked him profusely for his kindness in offering to accompany him, for he was about to fight a duel, and he required a second. Whereupon Sir Henry started and "begged his lordship's pardon," for "though he had a great honour for his lordship, yet he did not love to have eyelet-holes made in his body so cold and frosty a morning." Ormonde knew his man. He was allowed to go alone to the "little coppice," where he was met by Lauderdale and Loudoun, who were similarly unattended.

Between these three was now hatched a plot, which, later, developed into the "Engagement"; and by virtue of the "Engagement" a Scottish Army invaded England. It was agreed that as the only means of his Majesty's "preservation," the Duke of Hamilton should raise and send an army of 30,000 men into England, and that Ormonde should hasten to Ireland to join the Irish and the English Royalists; that the Parliamentary forces should be attacked in England and Ireland simultaneously; as the result of which, it was anticipated that the Parliament "might be under some awe in their proceedings against the King's person."[1]

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[1] *Ormonde MSS.* (New Series), II. pp. 353-4.

Two days after this agreement was reached, Ormonde went from Marlow to Sussex, where he found a vessel that took him over to France. There he was received graciously by Prince Charles, who sent him forthwith to Ireland with the commission of Lord-Lieutenant. Meantime his Scottish colleagues proceeded to carry out their share of the bargain.

From this point onwards, Lauderdale was absorbed in the great project of which he was probably the originator, as he was, beyond question, the mainspring by which it was kept going. The agreement in the Henley coppice was really the nucleus of a bigger scheme than Ormonde ever suspected. Lauderdale's activities about this time did not escape the notice of hostile diurnals, if one may judge by a cautious warning addressed to him by his friend Baillie. "Medle not with drivers," recommends Baillie, "so long as you are near the Thames, least they make you swime, which our friend could never doe without bladders. . . . Your one very large man is not now at your back (query Holles), therefore be verie tost" (careful). Baillie adds, incongruously enough (according to modern ideas), that he had sent Lauderdale by bearer, his "little Bible without points of Plantin's Antwerpen edition," and makes an allusion to a bargain Lauderdale had made for his "Chrysostome." The common enemy of both—the Independents—are mentioned in Baillie's customary manner, as "a partie who, I doubt not at their first leisure will stretch out their foot on our necks." He adjures Lauderdale to try to unite his three friends who have lately visited him: he is the only one who can do it. And a significant new note is sounded: "The poor King."[1]

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[1] The account given in the text about the Ormonde-Lauderdale-Loudoun agreement and its preliminaries, is taken from the *Ormonde MSS.* (New Series), II. pp. 353-5.

The "poor King" was yet by no means without hope of turning to good account the party antagonisms that were daily growing in intensity. From his pleasant, if enforced, residence at Hampton Court, he continued to encourage bids for his favour from all sides impartially. The Scottish Commissioners were for the moment, first favourites. Their steady affirmation of monarchical principles, formed an agreeable contrast to the growing Republicanism of the Army; and even their Presbyterianism was less repugnant than the Independency that now dominated the House of Commons. The address delivered at Hampton Court by the Commissioners, declared that the Scottish people desired to live in "such obedience" as their predecessors had done under a "hundred and seven of the King's progenitors."[2] The Scots pressed for a new treaty with the King; the Army opposed making any more addresses to "Charles Stuart, that man of blood." The Levellers, by their violent doctrines, made the Lords shake in their shoes. The Scottish Commissioners, by their loyal assurances, inspired the King with fresh hopes. The Scots were "clear" for the King. The Cavaliers' "hope" was in them. But the Independent view was that they were "of no more account than a last year's almanac." And—an English dig at Scottish avarice—"There is £100,000 preparing to stop the Scots' mouth." And again: "It is supposed the Scots are waiting to be bribed."[1]

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[1] *Letters*, III. p. 223. As a counterblast to Baillie's aversion to the Independents, we have equally intolerant contemporary allusions to the Presbyterians from the other side, *e.g.* Mrs Hutchinson's *Memoirs*. Mrs Hutchinson boldly accuses the Scots of having bartered Charles for the Parliament's money, without saying a word about the arrears of pay due to them. No wonder Voltaire wrote ignorantly of Charles: *Vendu par les Ecossais.*

[2] *Cal. of Clarendon State Papers*, p. 396.

Some of the Royalists were under no illusion about the Scots and their standpoint. "The Scots" (so they believed) were "apprehensive" lest the Presbyterians should be crushed in England. This would lead to a revival of the "old enmity" between the two Kingdoms. The Independents "would labour to raise troubles" in Scotland. "In short," says a Royalist critic, "the Scots hated the Independents mortally, and considered their power in England as the sure means of the ruin of their religion and (what they had more at heart), their fortunes."[2] The Royalism of the Scots was thus cynically viewed by the Cavaliers, whose "hope," notwithstanding, was in this "mercenary" nation. There was a time when, according to the same critic, a prospect existed of the Scots coming to terms with the Independents.[3] Ireton (or Vane) made proposals to Lauderdale for an agreement based upon the abandonment of the King. Apart from Lauderdale's own repudiation (after the Restoration), of any dealings with Ireton,[4] a

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[1] *Cal. of Clarendon State Papers,* pp. 399-404.

[2] Carte's *Ormonde,* II. p. 14.

[3] *Ibid.,* p. 15.

[4] *Glenalmond Papers* (Appen. Rep. II. Hist. MSS. Com., p. 203). Lauderdale asserted (26th August 1661) that he had never seen Ireton till he saw him hanging on the gallows at Tyburn.

Scottish-Independent alliance at this juncture, is almost inconceivable, and practical men like Ireton and Lauderdale cannot have seriously entertained the notion.

The King's escape from Hampton Court on 14th November to the Isle of Wight, (whence he hoped to escape to France), had the effect of widening the cleavage between the Parliament and the Scots. The latter were privy to the flight from Hampton Court, if, indeed, it did not derive its inspiration from them. Matters were ripe for an agreement between the King and them, and Charles had consequently little hesitation in playing with the Parliament, as usual. Now, as formerly, the real crux of the difficulty between King and Parliament lay in the control of the Militia. That difficulty adjusted, the religious problem was not insoluble. But the fact that both sides leaned so heartily on "the arm of flesh," clearly showed that what was really sought, equally by both, was the power to enforce its will permanently on the nation.

Of that desire, Lauderdale and his fellow-colleagues were not entirely innocent. Their main objects were to magnify Scotland; to consolidate the position of the Scottish nobility; and to indoctrinate England with Scottish ideals in politics and religion by influencing the fountain-head of English legislation. It may be allowed that these were patriotic motives. It may be granted that Scotland had too long been treated as the "poor relation," and that some recognition of her claims was overdue. The Lauderdale group were determined that as the price of Scottish help, Charles would have to satisfy their national aspirations.

Towards the end of December (1647), Lauderdale, Lanark, and Loudoun followed the English Commissioners to the Isle of Wight, after a correspondence with the King which paved the way to a treaty. The Four Bills had been passed by Parliament without the consent of the Scottish Commissioners, which was a breach of the Treaty between the two nations; and the Four Bills had contained not a word about the Covenant, for they related wholly to civil matters. The Scottish Commissioners remonstrated "with open mouth," but their protest passed unheeded.[1] There was therefore no longer any real reason why they should not treat the King independently. The international treaty having been flouted by the Parliament, it was no longer operative; for a treaty between two nations, to be valid, must necessarily be binding upon both.

The view that the "Engagement" was "dishonest,"[2] is therefore a little difficult to understand. The Parliament had virtually broken with the Scots, and the fact was notorious that the King was attempting to negotiate a treaty with Lauderdale and his colleagues. If there was any dishonesty, it was on the part of Charles for pretending to treat with Parliament; or on the part of the Scottish Commissioners for pretending to be working for the Covenant, while they were merely using the Covenant as a cloak to cover political designs.

These designs are clearly shown by some of the clauses embodied in the treaty between Charles and the Scottish Commissioners at Carisbrooke; and still more by a supposed secret agreement which the treaty does not reveal.

What then, were the terms of the Treaty of

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[1] Burnet's *Dukes of Hamilton*, pp. 414-5.

[2] This is Dr Gardiner's view.

Carisbrooke, commonly known as the "Engagement"? Clarendon gives a list of what he calls the "monstrous concessions" obtained by the Scots from Charles.[1] According to the same historian, the negotiations were commenced at Hampton Court, but certain terms imposed by the Scots "trenched so far upon the honour and interest of the English, that the King refused his consent." The concessions were certainly far-reaching, but it is difficult to find anything "monstrous" about them, even from the viewpoint of an unbending Royalist like Clarendon. Briefly, they bound the King: (1) to confirm the Covenant in both Kingdoms by Act of Parliament, though it was not to be forced on unwilling subjects; (2) to confirm, for three years, by Act of Parliament, Presbyterianism in England, the Directory of Public Worship,[2] and the Assembly of Divines at Westminster; and (3) to suppress the Sectaries (of whom a lengthy list is given). These were the foundations on which the whole fabric of the Treaty rested, and without which its acceptance by Scotland was impossible.

In consideration of these conditions being granted by Charles, Scotland was to endeavour to bring about a treaty between the King and his English Parliament after the disbandment of the Army. Failing this method of accommodation (the success of which could never have been seriously contemplated), a Scottish Army was to be sent into England for the purpose of effecting his restoration; putting an end to the existing Parliament; and replacing it with a "free and full Parliament." An agreement was made for co-operation between the Scots and the English and Irish Royalists. Charles was not to make an agreement with Parliament, or with the Army, without the concurrence of the Scots; and the Scots were to reciprocate. The King was to help the Scots in the war with money, arms, and ammunition; to provide ships to guard the Scottish coasts, and for the protection of Scottish merchants; to undertake to pay the arrears due to the Scots by the Parliament,[1] and the expenses of the Scottish Army during the coming war.

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[1] *History*, B. X. 162-5.

[2] The *Directory* is the only tangible legacy left by the Westminster Assembly to testify to its labours; and it is now an exclusively Scottish possession. It is strongly marked by Genevan theology supported by scriptural references of doubtful applicability. It can hardly be doubted that the Scottish clerical delegates to the Assembly had a large share in its compilation. The *Shorter Catechism*, one of the sections of the *Directory*, still occupies, though in a smaller degree than formerly, pride of place as the theological guide of Young Scotland.

Also, he was to authorize the Scottish Army to possess themselves of Berwick, Carlisle, Newcastle, with the castle of Tynemouth, and the town of Hartlepool; all to be given back by the Scots at the end of the war.

A complete union of the Kingdoms of England and Scotland was to be brought about; or, if that proved an impracticable ideal, any trading or manufacturing privileges peculiar to either Kingdom, were to be extended to the other.

As a compliment to Scotland, Charles was to employ Scotsmen equally with Englishmen in all foreign employments and negotiations; he was to give a third part of all the offices and places about the Court to Scots; and the King and the Prince of Wales, or one of them, was to reside frequently in Scotland, "that the subjects of that Kingdom may be known to them."[2]

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[1] Part of this debt went as far back as the beginning of the troubles; part was arrears of pay due to the Scottish army in Ireland; and the remainder was for Charles' "blood-money" (the irony of the situation!), unpaid by the Parliament.

[2] In the *Lauderdale Papers*, I. pp. 2 and 3, there is a copy of a draft of the clauses mentioned in this paragraph. The draft had

A declaration was inserted in the Treaty by Charles, stating that by the wording of the clause confirming Presbyterianism by Act of Parliament, he was neither obliged to desire the settling of Presbyterian Government nor to present any Bill to that effect; and that no person was to suffer for not submitting to Presbyterian government; these reservations, however, not to extend to the agreement to suppress Sectarianism. To this declaration Lauderdale and co-adjutors subscribed as witnesses, but not as assenters.

Clarendon asserts[1]—but does not state his authority for the assertion — that the Scottish Commissioners told Charles that the Treaty was actually a blind in order to persuade Scotland to send an army, and that when the work was done, everybody would submit to the King's pleasure. Soothing words, capable of bearing this construction, may conceivably have been used, but it requires no great perspicacity to see that had the Scottish undertaking had a successful issue, every undertaking by the King embodied in the Treaty, would have been strictly enforced.

The secrecy observed in the preparation of the Treaty of Carisbrooke had, as its corollary, the precautions that were taken to conceal the precious document after it was signed by both parties on 26th December 1647. The Scottish Commissioners, fearing that on their return to London they might be searched, made up the Treaty in lead, and buried it "in a garden in the Isle of Wight, whence they

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undergone alteration, but in substance it is the same as Clarendon's version. Dr Airy, who has edited the *Lauderdale Papers*, writes as if these so-called secret clauses had not been embodied in the Treaty, and remarks on the fact that there is no mention of the Covenant in them. It cannot be supposed that Dr Airy was unaware of Clarendon's account of this Treaty, and his comments are therefore not easy to follow.

[1] *History*, B. X. 166.

easily found means afterwards to receive it." After a stay of some months in London, the Commissioners returned to Scotland, "with" (according to Clarendon), "the hatred and contempt of the Army and the Parliament that was then governed by it, but with the veneration of the Presbyterian party,"[1] with whom a correspondence was settled.

There is reason to believe that the engagements of Charles to the Scots went beyond even the terms of the Treaty. For Burnet informs us[2] that Lauderdale told him, that at the commencement of the troubles in England, the King had secretly promised the Duke of Hamilton that if the Scots would come over to his side, he would consent to the incorporation of Northumberland, Cumberland, and Westmorland in the Kingdom of Scotland, the seat of the Government to be in Newcastle; and that Charles had confirmed this engagement in writing in the Isle of Wight.

Lauderdale's statement receives corroboration from Clarendon's account of the abortive negotiations at Hampton Court, between Charles and the Scottish Commissioners for putting Berwick and Carlisle into the hands of the Scots, and for granting "other concessions with regard to the Northern Counties." These concessions (as already stated) "trenched so far upon the honour and interest of the English, that the King refused his consent." But later, in the Isle of Wight (adds Clarendon), "in that season of despair," the Scots "prevailed upon him to sign the propositions previously refused."[3]

This would appear to be the genuine "Secret

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[1] *History*, B. X. 160.

[2] *History of His Own Times* (1839), p. 22.

[3] *History*, B. X. 160.

Treaty" of Carisbrooke, the exact terms of which have never come to light. Certainly there was every reason why such an agreement should be concealed from the English people, Royalists and anti-Royalists alike. Lauderdale's object was to drive as hard a bargain for his country as possible, and he was indifferent to the fact that his terms could not but wound the national susceptibilities of England. It is true that Scotland had always been treated by England with contemptuous indifference since the Union of the Crowns, and that the time was ripe for a change in the relations between the two countries. But there were practical difficulties in the way of Scotland (for example), sharing with England the conduct of the United Kingdom's foreign policy; while the absorption by Scotland of the Northern Counties of England was as chimerical a proposal as would have been one for the absorption of Lothian by that portion of England which lies north of the Humber. Indeed, historical precedents for the latter proposal would have been much easier to find than for the former. Nothing but a federal, or an incorporating, union between the two Kingdoms could effectually dispose of the anomalies created by a union of Crowns that was unaccompanied by a union of anything else. This was apparently recognized, though in a halting fashion, by one of the conditions of the Treaty, but it was not until sixty years later that the necessity for union became so apparent as to make that solution of the problem no longer avoidable.

Such then, were Lauderdale's dreams for the aggrandizement of his native country. Throughout his career he remained a perfervid Scot; jealous of the honour of his nation; watchful against any interference by England in her affairs; and especially resentful of any action that carried with it the implication that Scotland was a mere province of England. But the national aspirations that dictated the Engagement were fated to be wofully disappointed by the outcome of that remarkable treaty.

CHAPTER VIII

Clarendon states that had the terms of the Scottish treaty with Charles been known, no Englishman would have joined the Scots in their attempt to restore the King. In Clarendon's view, the concessions "extorted" from Charles were "scandalous and derogatory to the English nation and would have been abominated if known and understood by all men with all possible indignation."[1]

Possibly that was so. But for the moment the Scottish Commissioners held the winning cards in the game. When they left London for Scotland in January 1648, they had already planned a rising in England. On a given signal, Kent and the Eastern Association were to take up arms; and the signal was to be given when the Scots were ready to move.

First of all, the Commissioners had to carry the Scottish Estates with them and their fellow-plotters. To carry a majority in the Estates proved comparatively easy: to convince the whole country that their cause was a righteous and a patriotic cause proved impossible. To Lauderdale was delegated the task of haranguing the Estates on the Engagement, and he sought to arouse enthusiasm for it by inflaming the national prejudices of his hearers. There were four things, he averred, that the English people were unable to endure: the Covenant, Presbytery, monarchical government, and—the Scots.

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[1] *History*, B. X. 161.

The English dislike of the Scots was a less serious matter than the cleavage in the Scottish nation which was about to reveal itself. It was the beginning of a period of national disunion that was responsible for most of the disasters which befell Scotland soon afterwards. Lauderdale and his companions had forgotten to do one thing: they had not kept their eyes on the West. Doubtless they had taken into account the probability that the Scottish pulpit would not favour agreement with a king who had steadfastly refused to take the Covenant; and they knew well that the influence of the pulpit could not be ignored. But it was hoped (it must be assumed) that the soothing terms of that portion of the Engagement which was made public would overcome the objections of the Kirk, and secure its co-operation with the Estates. There was some ground for that belief if the temper of town and country had been in complete harmony; for Edinburgh and the other principal burghs could be won over. But Lauderdale did not understand then, nor did he understand till the end of his days, the temper of the peasantry of the South-West of Scotland. They ruined his projects in 1648, as they opposed and defeated his schemes a quarter of a century later.

The history of Scotland in the seventeenth century seems to show a certain difference in religious and political outlook between the traders of the East and the ploughmen of the West, if that rough discrimination is allowable. The difference may have been attributable partly to race and partly to environment. The Lowland West, even as far south as Galloway, was more Celtic in blood, if not in speech, than the Lowland East. The influence of racial characteristics is apt to be exaggerated; sometimes grotesquely so. But what is called "Celtic fervour" is a well-grounded differentiation; and in the domain of religion Celtic fervour is peculiarly assertive and uncompromising.[1]

At the period under review, the Highlands proper *i.e.* the most Celtic part of Scotland, were only partially Presbyterianized, being largely Episcopalian, Roman Catholic, and semi-pagan. When the Highlands had thoroughly assimilated Presbyterianism, it was of the bluest, and its profession was of the most perfervid. The environment of the Lowlanders of the West, as well as their racial antecedents, may have reacted upon their religious and political attitude. The trader of the East had wider ideas and a more individual viewpoint than the ploughman of the West. He rubbed shoulders with men from "foreign parts"; and he learned from them that Scotland was, after all, but a small and a poor country. He was temperamentally less violent than his western fellow-countryman. He knew the value of compromise in trade, and he was more inclined than the Westerner to extend its scope to pulpit and Parliament alike. For the word "compromise" was rarely to be found in the vocabulary of the West. The people were bound to the preachers with the same ties that attached pastor and flock in the Highlands a generation ago. On the side of the clergy, it was a bond of which the component parts were love of authority, modified by genuine regard for the highest welfare of their parishioners.

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[1] The characteristics that are commonly called "Celtic" may really belong to the people who preceded the Celts, but being found in districts where the Celtic tongue is spoken, they are inevitably attributed to the Celtic race. At the present day, political views in Scotland are more extreme in the West than in the East; and it is an interesting speculation how far this is due to racial characteristics.

On the people's side, the ties, paradoxically enough, were mainly those of affection and fear. The ploughman of Ayrshire, the hillman of Galloway, heeded his minister more than he heeded his Parliament, and he would obey his minister if ordered to disobey his sovereign.

The ministers were not disposed to trust too implicitly the three noblemen[1] who had negotiated the Engagement. Lauderdale, it is true, had in the past been *persona grata* with the Kirk, as her most dexterous lay representative. But the Kirk had been unfortunate in some of her elders (Montrose, for example, who lived to find himself, in the opinion of the General Assembly, the "spawn of Satan"); and Lauderdale was now in danger of proving to be one of her most grievous disappointments. By this time he had become so entangled in English politics that the Kirk might well feel dubious of his entire devotion to Presbytery, the Covenant, and Scotland. And unless all three were thoroughly safeguarded by the agreement with Charles, support of the Engagement by the Scottish pulpit was out of the question.[2]

Finally, after unavailing negotiations having as their object the acceptance of the Covenant by the King, the Kirk set her face against the Engagement. "The whole Church," wrote Argyll to the Earl of Morton on 15th May, "are dissenting to the Ingagement and declairs it unlawfull."[1] Clerical opposition ruined the whole project. By the votes of nearly all the greater nobles (Argyll being the most important exception) and a bare majority of the representatives of the gentry and the Burghs, Parliament had declared for the Engagement. Scotland was split into two factions: the Engagers, whose leader was the Marquis of Hamilton, and the anti-Engagers headed by the Marquis of Argyll. Hamilton had the law on his side, but Argyll had the prophets. And behind Argyll was the incomparably powerful machinery of the Kirk for influencing public opinion. Once the Engagement was denounced from the pulpits of Scotland, its failure to carry the country was foredoomed.

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[1] Of the three, Loudoun soon became an anti-Engager.

[2] The following (Letter, dated 8th March 1648) is Baillie's cautious opinion on the correct attitude of the clergy: "We judge it indeed convenient that ministers be verie warie of what they speak of any matter of State and most of all what encouragement they give to the raising of a warre; yet every subject of a Kingdome has so much to doe and suffer in his persone estate and friends when a warre comes on and warre is so great and weightie a case of conscience that ministers, both as men and according to their calling in the Church, may well be admitted to delyver their sense of that which so much concerns the conscience both of themselves and every soule of their flocke" (*Letters*, III. p. 26).

Argyll, cool and calculating as ever, saw further than the impressionable nobles who had listened approvingly to Lauderdale's address to the Estates. He was not allured by the glittering picture of a grateful monarch restored by Scottish arms, showering benefits upon the Scottish nation and, incidentally, swallowing cheerfully any ecclesiastical nostrums that his Northern advisers might desire to administer. It must have occurred to the dissentient half of the gentry and burghal elements in the Estates, that notwithstanding Lauderdale's blandishments, Scotland was likely to experience under Royalist auspices even worse treatment than she had received from the English Parliament, whose cause she had espoused and saved in the day of its distress. "Put not your trust in princes—or in Parliaments" represented, beyond doubt, the feeling of the clergy; and in the light of the experience of the previous ten years, who can say that their attitude of suspicion had no justification?

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[1] Willock's *The Great Marquess,* App. III. pp. 365-366.

The more closely the Engagement is examined, the more clearly does the fact emerge that its chief attraction in the eyes of the Scottish aristocracy, was its provision of political machinery for the preservation of class privileges, and the promotion of personal interests. Like the English Royalists, they dreaded the surging tide of Republican ideals which threatened to engulf their order throughout the length and breadth of Great Britain And (as Lord Byron confessed in a letter to the Earl of Lanark[1]) the moderate men among the English democrats (Cromwell for example) were more feared (and with good reason) than were even the Levellers. The Royalists of England and the *quasi*-Royalists of Scotland were brought face-to-face with the fact that the Throne was in imminent peril. They realized that if that buttress of their order were removed, aristocracy itself might share in its fall. A community of interests between the monarchy and the aristocracy may therefore be justly regarded as the main ground of the support given to the Engagement by the Scottish nobles. Superadded was, no doubt, a glowing prospect of "spoiling the Egyptians" for their common benefit, if a Scottish army managed to get the upper hand in England. Also, some of the nobles, and probably most of the assenting gentry and burghers, must have shared Lauderdale's fervent ideal of patriotism: the "greater Scotland" that was ever before Lauderdale's mind. But if nationalism be defined as "all for country," it seems impossible to allow the title of "national" to the party in Scotland that supported the Engagement. One thing seems clear: attachment to the person of the King formed no part of their equipment as Royalists. As embodying the ancient Stewart line of Scottish Kings, Charles, it is true, appealed to their patriotism or their Scottish prejudices. But they loved him just as little as a man, as they respected him as a monarch. Charles heartily reciprocated their feelings; with a few exceptions (those who served his interests) he regarded his fellow-Scots as a heretical and exasperatingly stubborn race whom he cordially detested and distrusted. Lauderdale, at any rate, had no illusions on the personal relations existing between the King and his Scottish subjects. His hopes for the ultimate success of his plans and the glorification of his native country were centred, not in the gratitude of the restored King, but in the strength and efficiency of the Scottish Army. When the Scottish Army fought for the Parliament, the same lack of illusion on the score of gratitude from the Independents is observable on the Scottish side (see Baillie). The "arm of flesh" was regarded as being more persuasive than any abstract qualities of "brotherliness." Meantime, however, the dignity if not the life, of the descendant of Fergus the Great was being threatened by the "auld enemy." Should not the swords of loyal Scotsmen leap from their scabbards in his defence?

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[1] *Hamilton Papers* (Camden Society's Publications, N.S. 27), p. 190. The same correspondent tells Lanark that "Argyll's designs are dangerous" (28th April 1648).

It was the tongues, and not the swords, of Scotsmen that were let loose by the call to arms. In opposing the Engagement, the Scottish clergy were unwittingly protecting the future of English and Scottish democracy. They regarded the Engagement as being a plot against their "brethren of England," and not against a rebellious section of the English nation. But if they are to be judged by their acts, the ministers were more immediately concerned with the perpetuation of Presbyterianism and the Covenant than with the promotion of Republicanism and popular liberties. Had Charles consented to satisfy their requirements about the Covenant, there is no reason to doubt that, although they distrusted him thoroughly, they would have preached in favour of the Engagement instead of denouncing it as they did. Their object, to which all other considerations were subordinated, was so to "settle religion" as to have uniformity in both countries, after their own Presbyterian pattern. They had passed beyond the reasonable attitude of Alexander Henderson, who would not "presume" to dictate to England how she should settle her ecclesiastical affairs; they would now accept no settlement that did not embrace both countries, and that did not enforce uniformity by putting down dissent. That was the bed they made for themselves; and Lauderdale in later years ruthlessly forced them to lie on it. They desired to put the old wine of Catholic uniformity in the new bottles of Protestant diversity, in the vain hope that the bottles would not burst.[1]

The clergy defeated whatever chances the promoters of the Engagement may have hoped it possessed, of arousing the patriotism of the Scottish people, or of stimulating their loyalty. The antagonism of the pulpit cannot justly be described as anti-patriotic for opposing a movement which, from the clergy's standpoint, they honestly believed to be detrimental to the best interests of the nation. That they deliberately provoked a conflict with the civil power is undeniable. But there is nothing in later times exactly analogous to the peculiar position of the Scottish Kirk in 1648; it was unique. It is not, therefore, a sufficient answer to say that, because the ministers opposed a Parliamentary decree declaring the country to be in a state of war, they were necessarily anti-patriotic. In 1648 the Kirk was an acknowledged power in the State, and wielded an authority in national affairs to which the closest parallel is perhaps the theocracy established by Calvin in Geneva. Tacitly Parliament had to admit that, though it might legislate without interference by the Kirk for affairs of local importance, it did not dare to lay its hands on matters of national weight except in concert with the clergy. It was a tyranny under which many of the nobles writhed; but they had to submit to it or retire from public affairs. Parliament and people were linked by the pulpit; and without the connecting link, the whole machinery of the State was thrown out of gear. The Estates realized that if they opposed the Kirk, they threw down the gauntlet to the people.

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[1] A manifesto issued by the Scottish Estates at the instance of the Kirk, demanding that all Englishmen should take the Covenant and that all heresy should be suppressed, had had a hardening effect in England which boded ill for Scottish interference in English affairs.

This condition of things [1] explains the efforts made by the promoters of the Engagement to placate the Kirk, and by their efforts to lose much time that was of inestimable value to their plans.

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[1] Clarendon writes as follows of the political relations between the Kirk and the people, and the inherently democratic spirit of the Scottish nation:—

"The Scots formed all their plans on the inclinations of the people, and first had to seduce and corrupt them before they ventured to attempt to get their concurrence in their plans. This made them submit in such a degree to their senseless and wretched clergy, whose infectious breath corrupted and governed the people, and whose authority was prevalent upon their own wives and in their domestic affairs; and yet they never communicated to them more than the outside of their designs." (*History*, B. X. 168 (Edn. 1888).)

Their failure was especially disconcerting to Lauderdale, who had doubtless reckoned upon carrying the Kirk with him by means of mutual concessions, and who did all in his power to prevent national disunion.

The clergy placed every obstacle in the way of raising the levies authorized by the Estates; and they succeeded in making hatefully unpopular, an enterprise which had been blessed by their lawful King and legalized by their National Parliament. The opposition, strong in the East, especially in Fife, was focused by the determined attitude of the South-Western counties. Compulsion had to be applied; but even with the aid of compulsion, of the 30,000 men sanctioned by the Estates, barely a third followed Hamilton across the Border when the final plunge was taken on 8th July 1648; and most of these were pressed men.[1]

While the Hamiltonians were striving desperately, but unavailingly, to whip Scottish patriotism into something resembling energy, their English friends were getting increasingly restive in consequence of the delay in taking definite action. Signs of their impatience are not wanting in the correspondence of the time. "Your delays," writes a correspondent of the Earl of Lanark in April, "hath made us all dispaire of receaveing any assistance from Scotland." "If you mend not your pace," says another letter, dated "last of Aprill," "you are like to have little interest in the order of our accommodation." On 4th May, Lanark is told that "the forces in Wales declared too soon in hopes of your assistance and appearance in England." And again, on 30th May, an English correspondent informs him that "all affaires here will quicklie ruine because of your delayes." On 24th June he is told that "England will be lost unless the Scots army presently come in."[1]

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[1] Gardiner, IV. p. 166. There is a suggestive allusion in the *Lauderdale Papers* to the "sale" of levies by anti-Engagers.

It is clear from contemporary letters, that the Scottish clergy were relied upon by the anti-Royalists in England to defeat the movement in Scotland. Much hope was placed in Argyll, the "Maecenas" of the Kirk, and dark hints are given of a sum of £10,000 that is "reddye" to be disbursed in Edinburgh[2] to the opponents of the Engagement. We find allusions to "the powerful influence of the Presbytery" who (it is unhistorically asserted) "ever were and wilbee enemies to monarchy."[3] Great efforts (the correspondence shows) were made to foment divisions in Scotland, and Argyll, for his encouragement, had assurances "that the trumpets of Sion will sound a hott charge for him."[4] In June a letter informs Lanark that Argyll "employs serpentine art, constantly corresponding" both with the Presbyterians in England and the Independents. The object of the Marquis was to convince his correspondents that his influence, and that of the ministers, if seconded by "convenient forces from England," would be able to retard the efforts of the Engagers.[5] Perhaps the most correct summing up of the whole situation is contained in a letter to Lanark, written in June. He is told, in reference to obtaining money from the City, that "the honour and advantages" the Engagers can promise themselves in England depend upon the strength and sudden march of their army. "And then ask what you will, you shall obtain. Till then, expect nothing." The only way to get money (Lanark was assured), was for himself, Lauderdale, and Loudoun to write to the Lord Mayor and certain named Aldermen about their pressing needs.[1]

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[1] *Hamilton Papers*, pp. 194, 197, 218. Lauderdale and Lanark were in constant correspondence with Langdale, Musgrave, and Blackston, the leaders of the English Royalists. (Somers' *Tracts*, Vol. VIII. p. 509.)

[2] *Ibid.*, p. 158.

[3] *Ibid.*, p. 175.

[4] *Ibid.*, p. 196.

[5] *Ibid.*, p. 205.

These hints about finance point to a weakness in the Royalist plans which contributed towards their complete lack of success. The English Royalists had no money. The Scottish noblemen were—well, Scottish noblemen: perennially impecunious. Scotland was a poor country. To wring the necessary cash for the coming campaign out of the people, for a rising to which half of the nation offered bitter opposition, was not a practicable scheme. But how was the business to be financed? Where were the necessary arms, ammunition, and equipment to come from? How, in short, was the rising to have even a chance of success, without foreign assistance?

Foreign help was, in fact, a stern necessity. And the only two countries from which succour of any kind could be expected were France and Holland. For obvious reasons, France offered by far the more favourable prospects. But something might be got from Holland. The Princess of Orange, the daughter of the King, might be relied upon to help if she could. Henrietta Maria in France had pawned her jewels for the common cause: Mary in Holland could hardly refuse to make some sacrifice. Prince Charles was also a useful asset to possess. He had no jewels to pawn; but he could be used as a pawn. It was easily seen that the prestige of his presence in Scotland, or in the Scottish Army, would be an advantage of considerable value. Negotiations having that object in view were commenced early in 1648, and after some opposition on the part of certain of its members, the Prince's Council reluctantly acceded to his personal wish that he should go to the Scots. But certain conditions were imposed by the Estates, out of regard for popular feeling in Scotland, and particularly for the jealous apprehensions of the Kirk.

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[1] *Hamilton Papers*, pp. 205-6.

The ambassador who was chosen to convey Scotland's invitation to the Prince, and to secure his consent to the conditions imposed, was Lauderdale. But these were only the preliminaries of the most important part of his mission. He was, first, to secure the Prince for Scotland, and then to secure his co-operation with Scotland in obtaining the necessary supplies from France and Holland. It was a difficult and delicate task, and we shall see how it was performed. In their choice of an agent for this mission, we have one more example of the almost unlimited confidence placed by the Estates (like the Kirk in the past) in the diplomatic persuasiveness of Lauderdale.

CHAPTER IX

PERHAPS it would be inaccurate to describe Lauderdale at this stage of his career as a Royalist. As already shown, his political ideal was aristocratic rather than democratic, and for kings, as kings, he postulated a necessary place in his scheme of politics. But as a Lowland Scot; as an elder of the Kirk; and as the most prominent lay member of its robustly critical General Assemblies, he had lived too long in an atmosphere that was pregnant with democratic aspirations, to believe in such puerilities as the Divine Right of Kings or of Bishops. He was therefore destitute of that attitude of mind towards the Throne which distinguished the most earnest of the Cavaliers from the less worthy Royalists, and by virtue of which they earned the respect for the sincerity of their personal convictions, that must be denied to the shrewdness of their political discernment.

Lauderdale, as Burnet tells us, never liked Charles the First. But Charles the Second, as Heir-Apparent, and afterwards as crowned King, appears to have always been in his eyes a "most gracious Prince."[1] As time went on, his liking for Charles seems to have deepened into a devotion that was demonstrably personal. This is a fact which must be kept in view in estimating the forces that deflected Lauderdale's career from its early promise. The subtle seductiveness of personal charm which is the possession of some men, in influencing their fellows and in undermining, consciously or unconsciously, principles that are not rooted in unshakable conviction, has perhaps not been sufficiently recognized as a force in moulding character and in shaping careers. Certainly the political relations between Charles the Second and Lauderdale were affected by the personal factor in a degree that was rare. The unfortunate aspect of their friendship was the one-sided character of its developments. It was unfortunate for Lauderdale, and (what was of much greater importance) calamitously unfortunate for his native country.

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[1] Baillie (*Letters*, III. pp. 87-8) writes of Charles II.: "His Majestie is of a very sweet and courteous disposition. . . . He is one of the most gentle, innocent, well-inclyned Princes so far as yet appears that lives in the world; a trimme person and of a manlie carriage; understands prettie well; speaks not much. Would God he were among us." It was Baillie who was "innocent," not Charles.

Their first recorded meeting took place under circumstances that were bound to impress the personality of each upon each. Charles was then a youth of eighteen, who had already vindicated his right to be a "man of the world."[1] He was about to be given an opportunity of proving that he was also a man of courage and resource. Lauderdale's mission opened up an avenue of adventure that was ever attractive to the Stewart temperament; and Charles looked forward to their meeting with eager interest.

In a letter dated 10th August,[2] addressed to Lanark from the King's ship *Constant Reformation*, then in the Downs, Lauderdale gives us an entertaining account of his adventures in search of the elusive Prince, whose movements were at that time peculiarly active and uncertain. Charles was not at Yarmouth[1]—so Lauderdale heard at Elie (Fife) where he embarked—and the Earl set out on a search for him, hoping to pick up news from passing vessels. He could learn nothing, however, for they all gave his ship a wide berth. Then he steered with a fair wind for Holland, where he discovered that the Prince had left that country three weeks previously, for what destination, his informant (the pilot) knew not. They had now a fair wind for England, and the captain being "most civill and willing," it was decided to sail for Yarmouth. "So," says Lauderdale, "I resolved to bridle my curiosity, which indeed was great, to see Holland, and to content myself with a sight of the steeples." He saw more than steeples later on.

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[1] He was a father at sixteen years of age (Airy's *Charles II.* p. 33).

[2] *Hamilton Papers*, pp. 237-9.

When crossing from Holland, they chased a war-ship bound, seemingly, for France, "but he proved to be a man not to be taken." Then they fell in with the *Roebuck*, one of the Prince's frigates, and learned that Charles was in the Downs; that the ship they had just been chasing was the *Constant Warwick*, with Captain Batten on board, on his way to join the Prince, and that Scarborough was "declared." The *Constant Reformation* and the *Roebuck* then sailed in company for the Downs. "With some crosse winde and sicknes," writes Lauderdale, "I came hither this morning into the Downs, where I had the honor to kiss the Prince's hand in his ship and to receive from him a very gratious reception both to the busines and to myself."

Civilities over, Lauderdale came to business.

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[1] He went with his fleet to Yarmouth hoping to succour Colchester. The result was disappointing.

He had been charged by the Committee of Estates with precise instructions on the main points which he was to discuss with Charles.[1] The Prince was to be invited to join the Scottish Army, or to come to Scotland, as he saw fit, with an assurance of his full liberty of action. But he was desired not to bring with him Lord George Digby, nor certain named Scottish nobles who had been declared incapable of pardon,[2] nor the Princes Rupert and Maurice. Charles was also desired and expected not to bring his chaplains (who had not taken the Covenant) "as the kingdom cannot admit of the exercise of the Book of Common Prayer, or any of these episcopal ceremonies against which we are in so many ways engaged."

On these points Lauderdale was instructed to be inflexible, and to declare in the name of Scotland, that if any of the persons to whom objection was taken "will needs come along," they would not be admitted.

If the Prince decided to come and "owne our Ingagement," Lauderdale was to join in the name of Scotland for obtaining whatever assistance Charles might seek in France, or Holland, or elsewhere, and "ingage the publick faith of this kingdom for the same." Also, he was to ask for the assistance of the Prince in his negotiations with the Prince of Orange, the States-General of the United Provinces, or with France if he went there, and was instructed to receive whatever authority Charles might give him for "effectuating thereof." Also, he was to give "frequent advertisements" of his proceedings to the Committee, and return to Scotland as soon as possible, either with the Prince, or before him, or after him, as circumstances might determine.[1]

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[1] *Hamilton Papers*, pp. 232-4.

[2] These were Montrose, Viscount Aboyne, Lord Lindsay, "sometime Earl of Crafurd," and Sir John Hurrie.

The object of his mission to the Prince of Orange[2] and the States-General was to explain the aims of the Engagement to them, and obtain their assistance in money, arms, ammunition, and shipping. He was empowered to make a bargain with them, pledging the credit of Scotland and paying interest, not exceeding 8 per cent., for any accommodation obtained. He was also instructed to crave the assistance of the three Scots regiments then in the employment of the States, and to send them over to Scotland, or some "sure port" in England, and to engage to send them back to the States after they had performed the services required of them; or sooner, if the States so demanded and "wee be in a position so to doe."

But this was not all. The Committee empowered Lauderdale "if expedient and feasible," to treat and conclude with the States-General, a "stricter alliance and nearer conjunction" between Scotland and the United Provinces, which necessarily implied, as a corollary, direct participation in achieving the objects of the Engagement. All this he was desired to manage to the best advantage of Scotland, by advice of the Prince, "and so as yow doe not cross any of the ends of the Covenant." If called away before his mission was finished, he was to delegate his authority to whatever "Scots Gentleman" he considered the fittest to undertake the task imposed by the Committee.

From Holland he was to go to France, and deliver the Committee's letter to the Queen (Henrietta), to whom he was to give an account of the measures being taken for the King's rescue. Also, he was to deliver letters to the King and Queen of France, acquaint them with the "grounds and ends" of the Engagement, and crave assistance from them in the form of money, arms, and ammunition.[1]

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[1] *Hamilton Papers*, pp. 232-6.

[2] Sir William Bellenden, the Scottish agent at the Hague, was not too hopeful of the Prince of Orange. "He is not so ripe and painfull in and for busines as his condition doeth require." No representations with him were likely to prevail that did not hold out something to the advantage of his own country. (*Hamilton Papers*, p. 230.)

This was a mission of the first importance to the objects of the Engagement. If successfully accomplished, it could hardly fail to affect the fortunes of the King beneficially, and might even lead to his triumphant return to power. It will be observed that the Committee expressly charged Lauderdale that none of the ends of the Covenant were to be "crossed." They did not dare to throw the Covenant overboard. National feeling in Scotland—apart from the sentiments of the Kirk—would have been aroused by that step, and it may be assumed that at least the burghal element of the Engagers in Parliament itself would have been strongly opposed to the jettison. Yet the Covenant was to prove the main stumbling-block in the path of co-ordinative effort in the future, as in the past it had proved the main impediment to an agreement between Charles the First and his Scottish subjects.

From the very commencement of his career, the son of Charles the First was a hopeless sort of Covenanter. From his training and his associations, the whole trend of the conditions of the Covenant was repugnant to his political and religious outlook. But for so young a man, he was a remarkable dissembler, and a consummate master of the difficult art of speaking with his tongue in his cheek. There was no difficulty at all in getting him to agree to Lauderdale's proposals for obtaining assistance from Holland and France. Under any circumstances, this was not an easy mission. It was rendered none the easier by the fact that there was a "controversy" between France and Holland, and that the help of Holland might be granted only on condition that the Scots would consent to break "our antient league with the French."[1] But while the political objects of Lauderdale's mission met with his entire approval —it could scarcely be otherwise—the Prince made some opposition to the conditions laid down by the Committee for his observance of the Presbyterian form of worship while with the Scots. It can hardly be supposed that as a question of principle, the Prince of Wales cared a bodle whether he used the English Book of Common Prayer or the Scottish Book of Common Order. But some of his Councillors cared very much. To men like the Duke of Buckingham the question was an admirable one on which to hang a witty epigram. But to men like Hyde, that honest and intolerant Anglican, it was a question on which the ecclesiastic tendencies of the future king of England might depend. It is not surprising, therefore, to learn from Lauderdale's report that the main difficulty in arranging for Charles to go to the Scots was "the question of Divine worship," and that the difficulty at one time looked insuperable. "Therefore," writes Lauderdale—and we have here an admirable example of his business-like methods in diplomacy—"therefore I resolved to apply myself first to remove that which appeared to be the greatest difficultie." First of all, he spoke in private to the Prince, "whose inclinations I found as good and as earnest to be with us as is possible . . . The great opinion I have of his person I shall leave till meeting, and then I am confident your Lo. (Lanark) will be of my opinion when you see his Highnes that we are like to be very happy in him." The Prince's Councillors were spoken to "very freely" by Lauderdale before the formal discussion by the Council of the whole subject. By some of them he was greatly pressed to wait for the consent of King Charles to his proposals, "but I flatly refused it." He told them that a delay was "equally as destructive to his Highnes services as a denyall and I declared flatly that in that case I wold immediately be gone and give advertisement to the Kingdom of Scotland." At last—he goes on to say—"I broght the busines to ane issue by my importunity."

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[1] *Hamilton Papers*, pp. 235-6.

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[1] *Hamilton Papers*, p. 230.

The Prince invited him to attend a meeting of his Councillors. Ever ready to resent any interference on the part of English Councillors with Scottish affairs—a resentment which he never lost—Lauderdale replied that his business was with the Prince alone, but that if it were the Prince's pleasure that he should attend the meeting, he would do so.

He gives us an interesting account of the proceedings of the Council, and the scrupulosity of his own attitude as the representative of an independent nation. He found the Prince on one side of the table, and on the other side, Rupert, Brandford, Willoughby, Hopton, and Colepeper, "and the Secretary standing." The Prince commanded Lauderdale to sit down next to Rupert, which, "after some ceremonie," he did. He then pressed Charles as earnestly as he could, and asked for a written answer, submitting his own request in writing. The desire of the Prince to meet his wishes is shown by the fact that Charles submitted to him the draft of his reply, and actually amended it to accord with Lauderdale's suggestions.

The main difficulty having been overcome, the minor points were successively settled. At the Prince's desire, and on his undertaking to "satisfy" Lauderdale on his compliance, Rupert's name was omitted from the list of excepted persons. Lauderdale states that Rupert, "caryed himself very handsomely in this business"; that he professed "very good affection to our nation"; and that he was "very much troubled they should have any prejudice at him." Lauderdale's mainstay on the Council was Lord Willoughby, the commander of the fleet. Lauderdale tells us that Willoughby was "most honest and wholly Scots." So we are not surprised to learn that he was solely engaged "on our interests." Apparently the common bond between Willoughby and the Scots was Presbyterianism. He "will employ," states Lauderdale, "non but Presbiterians." There was a great friendship between Willoughby and Prince Rupert; and the former told Lauderdale that it would be "infinite advantage" to have the ban removed from Rupert; in which view Lauderdale concurred. It is interesting to learn that Sir Marmaduke Langdale, the hope of the English Cavaliers in the North, was "not at all valued heer," and it was proposed to give him only a subordinate command. It is characteristic of Lauderdale's determination to keep English and Scottish affairs completely separate, that when asked for his opinion about the Langdale proposal, he refused to give it, leaving the decision wholly to the Prince.

"Lord bless our army, for all depends on that under God." So writes Lauderdale to Lanark. And again: "The Lord send me a good account of our army, for I must confess at this distance they goe very neer my heart." And once again, when sending copies of the Prince's replies to the Committee of Estates, he prays for good news from the Army, "which is the thing on earth most earnestly desired and passionately long'd for." No one knew better than Lauderdale that the success of the Scottish Army meant that the English Royalists would be delivered into the hands of the Scottish Engagers, and conversely, that with its failure, the whole of the Engagers' plans would topple over like a house of cards. By the Prince and his entourage the Engagers were treated with respect, solely because they were in possession of the big battalions.

And what were these battalions doing while Lauderdale and the Prince were engaged in negotiations on points of form and policy? Lauderdale winds up his correspondence with Lanark by telling him that he intends sailing on the following day for Holland. "God send us," he writes, "a good meeting, which is heartily longed for by me, for truely I am aweary of wagging at sea. I had farre rather be at cuffes with you."[1] That letter was written on 21st August. At the very time he was writing it, the Scottish Army on which his hopes rested was in the hollow of Cromwell's hand. Recruited in large measure from unwilling levies of raw peasants; destitute alike of patriotic enthusiasm, adequate training, essential equipment, and competent leadership, this unfortunate army of the Engagers, when it marched into England, marched to its doom. Under all the circumstances it could hardly have been otherwise. The King's friends in England and Scotland required both a man and a plan; and they lacked both. Of co-ordination between the Royalists in both countries, there had hardly been a trace. A preliminary move was made by the Scottish Engagers in April, when Carlisle and Berwick were seized by a small party; but not until three months later, was it found possible to place an army in the field. A manifesto was sent in May to the English Parliament, demanding acceptance of the Covenant and Presbyterianism, liberty for the King to come to London to negotiate, and the disbanding of the Parliament's Army. Brave words, which the possession of adequate means for their immediate enforcement could alone justify. Had the means been actually available (and it was well known that they did not exist), the Parliament, with the prospect in view of shaking off the tyranny of the New Model, might have entered into negotiations with alacrity. But how could the Parliament disband an army that refused to be disbanded, except by a stronger army? An understanding between the Parliament and the Scots was, at bottom, a more feasible plan than a fusion of interests between the Scots and the English Royalists. There was only one bond in common between all three parties: and that was fear of the New Model and hatred of the Sectaries. But in the sphere of religion there was a tie between the Parliament and the Scots, which was wanting in the relations between the Scots and the Royalists. The merciless Act against heresy was passed at this time: an Act breathing a spirit of intolerance, and providing for a severity of punishment that for intensity, has never been excelled by any statute of Presbyterian Scotland. It showed, indeed, that the Presbyterianism of a majority in the English Parliament, if judged by this Act, was of a grimmer kind than the Presbyterianism of the Scottish Estates, or even of the Scottish Kirk. But in the main, the ecclesiastical views and theological dogmas of the majority in the English Parliament, as well as their political ideals, were in accord with those of the majority in the Scottish Estates; and in an age when religion and politics were inextricably blended, the Presbyterianism common to both Parliaments was a cementing factor of prime importance. That the representative bodies of the two nations should have allowed themselves to drift asunder, and become estranged on questions other than those of principle, was a misfortune for both. At a time when, for the common good, they should have composed their differences and closed up their ranks, they placed themselves in such impossible situations that they were easily and successively overcome by Cromwell and his stalwarts. Rightly employed, the links of sympathy forged by Presbytery were as steel, whereas the links woven for the Scots by their alliance with the Royalists were frail as silk. What wonder was it that, when the trial came, these silken links snapped with ludicrous ease?

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[1] *Hamilton Papers*, pp. 244-253. Owing to the news of Hamilton's defeat having become known, the subsequent negotiations at the Hague were abortive (Clarendon's *History*, B. XI. 86-91).

Their Royalist allies in England did not take the trouble to conceal their distrust of the Scots. Gladly would they have dispensed with their services if they could. They waited with growing impatience for the march of the Scottish Army; and they made scant allowance for the serious difficulties which had to be overcome. The Engagers tried vainly to dissuade them from moving prematurely until the Scots were ready, "so that there might be a universal rising."[1] But some of the English Royalists believed, or affected to believe, that a successful Scottish invasion "meant only the masters changed." And Sir William Bellenden writing (from Amsterdam) to the Earl of Lanark on 9th July, tells him that there was on the part of the "King's men in Holland, such a jealousy of the Scots that no relief can be so unwelcome as their assistance, and there was great joy when Kent and Essex rose that the busines could be done without the Scots."[2]

The joy, like the rising, was premature. But the "business" nevertheless was not done, and under all the circumstances, could not have been done, by the Scots. Had the Scottish Army been commanded by an energetic Montrose instead of an indolent Hamilton, it might have been done even with such unpromising material as the Duke had at his disposal. Plainly, the first object to be attained was the relief of Pembroke and Colchester, where the Royalists still in arms were cooped up, respectively, by Cromwell and Fairfax. But if Hamilton had any definite strategical plan at all, it is not easy to follow it. He dawdled in Lancashire for a month, waiting apparently for English reinforcements. But with the exception of the useful help of Sir Marmaduke Langdale, whose gallant stand is one of the bright spots in a futile and disastrous campaign, the Northern Royalists held aloof.[3] Hamilton's inertia ruined whatever chance there might have been of success. Pembroke fell; and its fall enabled Cromwell to bestow his undivided attention on the Scots. He struck hard at the Scottish flank, splitting Hamilton's forces into two parts. Successively at Preston and at Winwick, near Warrington, the sledge-hammer descended with crushing blows on the Scots. With the exception of a body of resolute horsemen who escaped to Scotland, the remnant of Hamilton's army, rounded up by Lambert, capitulated with their General on 25th August at Uttoxeter in Staffordshire.

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[1] *Memoirs of the Dukes of Hamilton*, pp. 436-7.

[2] *Hist. MSS. Com. Rep.*, XI. Pt. VI. p. 127.

[3] In a letter from Lauderdale to Langdale of April 18/28, 1649, he congratulates him on his escape from "these bloody rogues who have murthered our King and our friends" (*Harford MSS.*, p. 349).

Never was disaster more clearly attributable to military ineptitude than the Scottish *débâcle* at Preston. It was the misfortune of the Engagers not to have found available for their services a competent General. Alexander Leslie, who was a "Kirkman," would have nothing to do with the enterprise,[1] and though Baillie and Middleton (Middleton's troopers fought at Preston with distinction), were capable soldiers, the efficiency of the subordinate officers could not supply the deficiencies of the Higher Command. So badly co-ordinated were the movements of Hamilton's units, that Monro's veteran soldiers from Ireland who, as stiffening material for the raw levies, would have been of inestimable value, were never engaged at all; they reached Scotland after the fighting was over, without even seeing the enemy.

The Engagement was tragical in its results. The high hopes that were formed of its success and their dismal dissipation; the futile attempts to arouse the enthusiasm of Scotland in its cause; the army raised finally by compulsion to fight for a King who, in the eyes of many of the conscripts, was himself the chief Malignant; the unstable alliance with English Royalists who distrusted and disliked their allies; the mission of Lauderdale to the Prince of Wales and the serious problem of the Prayer-Book, which, during its discussion, was already being solved by Cromwell at Preston: there would be an element of comedy in it all were it not for its grave reaction alike on the King and on Scotland. And the last scene in the last Act of the tragedy of the Engagement, was the execution of the unfortunate nobleman who was excellently equipped for gracing a Court, but lamentably ill-fitted for vanquishing Oliver Cromwell. Himself a possible candidate for the Scottish Crown, Hamilton found the King whose cause he had embraced, a "dear master" indeed, as Charles, with bitter point, remarked when they met. The King's friends had been finally and hopelessly beaten in the Second Civil War; in England the more radical elements of the Parliament were henceforth to dominate their country, until their master in his own good time dominated them; while across the Border, Argyll, "the most subtill among the Scots," was now supreme in the State, and was basking in the warm sunshine of the Kirk's favour.

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[1] David Leslie is said by Clarendon (*History*, B. XI. 72) to have been Hamilton's Lieutenant-General.

The Dictator of Scotland, "subtill" though he was, met his match in subtilty when he entertained Cromwell at supper in Moray House, Edinburgh, after the destruction of Hamilton's army. The "greeting deevil," the "egregious dissembler" and the "great liar" (as the Reverend Mr Blair called Cromwell), was ready either to shed tears or chop off heads, according to the efficacy of the argument and the necessity for its enforcement. At Moray House he may have wept, and it is probable he may have threatened. He was well aware that at

Preston he had defeated, not a national, but a sectional army. The Whiggamores Raid,[1] representing a reaction in favour of the deadliest opponents of the Engagement, had placed virile Covenanters in possession of Edinburgh and the springs of national influence. Argyll, compelled to lean upon them for support, was nominally at the head of this extreme faction, distasteful though some of their tenets were to his more enlightened intelligence.[2] The eye of Cromwell was quick to discern the clashing animosities, political as well as religious, by which Scotland was cursed; and his mind was quick to grasp the opportunities they afforded for turning them to good account. His policy was to foment, to accentuate, to perpetuate, these differences. A divided Scotland he could easily keep in subjection: a united Scotland might easily prove beyond his control. Meantime the "brethren" were in possession of the political machinery, and it was the "brethren" whom Cromwell persuaded Argyll to protect from the machinations of the wicked Engagers, by permanently excluding the most dangerous of the latter from participation in public life.

By concurring in the views of Cromwell, and setting in motion legislation that took the form of the Act of Classes (which discriminated in the heinousness of the Engagers' offence, and punished it accordingly), Argyll did a great disservice to his country. After Preston, his manifest duty as a statesman was to heal national discords, and to secure national unity. With these objects achieved, he could view with equanimity Scotland's ability to resist aggression, from whatever side it might come. The course he actually followed widened the chasm that divided the Engagers from the anti-Engagers; deprived the country of the services of some of its ablest sons,[1] in the field as in the Council-chamber; let loose the forces of intolerance in Church and State; and embittered for a generation the feelings between sections of the community that might otherwise have been working in harmony for the good of the nation. Poor Scotland seemed to be ever fated to become the prey of the forces of disunion, which, in turn, were mainly responsible for her greatest national disasters.

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[1] The "Whiggamores" who gave their name to the later Whigs, were so called from the word "Whiggam," by which the West Country waggoners urged on their horses. That is Burnet's explanation of the word, and it seems the most plausible of the various etymologies.

[2] Argyll regarded his more extreme associates as "madmen."

Meantime, Cromwell, having done his work in Scotland, hurried home to complete it in England by Pride's Purge and the arraignment of the King.

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[1] Lauderdale, who was thanked by Parliament in 1648 for his services as a Commissioner to England, was in 1650 ordered to leave the country "as being not well affected to the cause" (*Acts of Par. of Scotland*, VI. (II.), p. 594 *b*).

CHAPTER X

The execution of the King awakened Scotland to a sense of realities. It shattered at one blow the schemes alike of her Royalists and her anti-Royalists. The Royalists were left without a head; the anti-Royalists were left without a plan. During the proceedings against the King which culminated at the Whitehall scaffold, Scottish representatives had lodged a national protest under cover of the Solemn League and Covenant. Both countries were bound by that treaty, they urged, to "preserve and defend the King's majesty, person, and authority." That argument carried no weight with Cromwell. He reminded them that, in terms of the treaty, the preservation and defence of the King became obligatory, only if consonant with the preservation and defence of "the true religion and liberties of the kingdoms." The sanctity of monarchical rights had no meaning for the master of the Model Army. Dexterously enough, he quoted against the Scots the opinions of their own great democrat and scholar, George Buchanan, on the limitations that should be placed upon regal authority. He had all the best of the argument, for he had all the best of the power. Behind the legal paraphernalia of the King's trial it was the muskets that were now to speak, with a shrillness that drowned the modulated tones of remonstrance. In the Scottish mind, the divinity that hedges a throne was still an influential belief, notwithstanding the democratic tendencies of the General Assemblies. To see the hedge ruthlessly broken down by English Levellers was disturbing. To see a king of Scottish blood and birth tried like a malefactor by low-born English sectaries, was shocking. To see the same sectaries firmly installed in power in the sister country was exasperating.

For the moment, the destinies of Scotland seemed to lie in Argyll's capable hands. Now that the Engagers were hopelessly discredited, he was without a rival in the political field. But if Argyll was the master of the politicians, the Kirk was still the master of Argyll. His hands were tied by the General Assembly, whose authority, unavowed but none the less real, was supreme. Had he been a free agent; had he felt strong enough to shake himself free from his ecclesiastical bonds; the policy to which he was now about to give his adherence might have been of a different complexion. From this time onwards, there is little in the career of Argyll to add lustre to his reputation as a statesman. On the contrary, his record is little else than a series of political blunders and a policy of drift. These, one ventures to think, were due not to lack of insight, but mainly to lack of firmness. Instead of leading popular opinion, as he was competent to do, and instead of facing up squarely to the Kirk, when its political excesses conflicted with the national interests, he followed the easy path of acquiescence in acts of which, as a statesman, he must have disapproved. His influence, now reaching its climax, gradually and deservedly disappeared; and unfortunately for Scotland, there was no statesman of equal calibre to take his place. Argyll's infirmity stands self-confessed: "Dubiety plays on me like a flute."

After the news of the execution of Charles the First reached Edinburgh, Charles the Second was proclaimed King, not of Scotland only, but of Great Britain and Ireland and France. This, as Argyll must have known, was a direct challenge to Cromwell and the regicides, who had threatened death to any who should proclaim Charles as King. When, after the tragedy at Whitehall, the Scottish envoys in London protested against toleration, or any other changes in the fundamental laws of the Kingdom, and demanded that Charles the Second should, with necessary safeguards, be placed upon his father's throne, the Long Parliament dismissed them contemptuously; their protest, the Parliament declared, laid the "grounds of a new and bloody war." The course taken in Edinburgh was complementary to the protest in London. Had Charles the Second been proclaimed King of Scotland only, Argyll and his countrymen would have stood on firm ground. They were at liberty to proclaim and to crown whatever King of Scotland they chose, and Cromwell could have found no justification for protest, much less for active interference. Scotland was an independent nation whose sovereign rights Cromwell would have been the last man to challenge, and whose religious policy he would have been the last man to oppose.[1] But Scotland choosing a king for England and Ireland, as well as for herself, created an entirely different situation. It was clear that those who were now in control of English affairs had no intention of placing on the English throne, a second Charles to replace the first. And they had certainly no intention of accepting any dictation from Scotland in their choice, whether of a king or an ecclesiastical system. From his conferences with Cromwell, Argyll must have been aware of his views on the international relations between the two countries. He must have known on what a slender thread the friendship of the two countries was hanging. By thus breaking loose from the web spun around him in Moray House, Argyll gave the impression of strength. But the impression was erroneous; for the apparent strength concealed real weakness; and the bold assertion of Scotland's right to proclaim a king for England and Ireland was out of harmony with the facts. For the complete disappearance in English councils of Scotland's weight, either for military assistance or for political co-operation, could no longer be concealed.

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[1] By Cromwell and his party, Charles was consistently called "King of Scots."

A situation of extreme delicacy had now arisen between the two countries. Scotland could justly claim that she had acted within her constitutional rights. She had never disowned her allegiance to Charles I. Even when resisting his authority, she had protested her loyalty: it was all a question of interpretation. Her allegiance was now automatically transferred to his heir; and the heir was *de jure* King of Great Britain, and not of Scotland alone. Consequently the terms of the Scottish proclamation were "correct" from a constitutional standpoint. Moreover—and in Scotland this was the decisive factor—the retention of the Covenant implied the retention of monarchy; and the retention of monarchy implied the defence of Charles the Second and his rights. Thus, for Scotland, the choice lay on the one hand between a logical, if pedantic, assertion of constitutional rights, and war with the English Commonwealth as the inevitable outcome of her assertion; or, on the other hand, an agreement with the Commonwealth based upon the logic of facts. In view of the sacrifices which both countries had jointly made in the common cause of political and religious liberty, it was surely a time for seeking common ground in essentials, and striving for unity in common ideals. Emphatically it was not a time for widening breaches by pressing against them the lumber of lawyers.

Why then was the opportunity missed by Argyll and the Scottish Parliament of agreeing quickly with the grim soldier who had become the virtual Dictator of England? That a basis of agreement could have been found is certain. That it would have been to the advantage of both countries, and particularly to Scotland, is equally certain. It is true that the Scots as a nation were incensed by the execution of the King. It is true that national feeling on both sides had become embittered by the events of the Civil War. It is true that the political and religious ideals of the new masters of England were more advanced than those of the new rulers of Scotland. But the lines of divergence between the English Republicans and the Scottish Covenanters were not fundamental; whereas the English Royalists and the Kirk party in Scotland were separated by an unbridgeable chasm. For Argyll and the Scottish Parliament, the statesmanlike and the patriotic course to pursue was so to shape their policy as to preserve the independence of the Scottish nation; and to make all dynastic or constitutional considerations completely subservient to the interests of their country. Their failure to work on these lines was proclaimed by the needless irritant which was applied to the powerful Republicans in England. It was proclaimed, too, by the series of negotiations, the result of which was to link the welfare of Scotland with the fortunes of a King who gibed at his allies, and whose allies would not trust him out of their sight. Were it not for their tragic consequences, the relations between Charles and the Scots in the years 1650 and 1651 would form a fitting subject for a comedy.

It is impossible to avoid the conclusion that the real dictators of Scottish policy in this national crisis were the clergy. And the clergy had become intoxicated by success. They lacked the moderation of men like Alexander Henderson. They were infuriated with the English Sectaries for defeating their design of riveting Presbyterianism on the English neck. Their eyes were blinded by prejudice; their minds were warped by ecclesiasticism. They were frankly intolerant; and they gloried in their intolerance. The direction in which their influence was exerted was fatally wrong. It was wholly inconsistent with the clerical attitude on the Engagement[1]; it was plainly dishonest; it led to a gamble with the national interests for an unworthy stake; and ultimately it resulted in plunging the country into a morass from which it took over a generation to emerge. The Kirk had to accept Charles or the Sectaries. The question to be resolved was, which was the less bitter of the pills. In deciding for Charles, the Kirk decided for the uprooting of heretical sectaries through the medium of an unregenerate king. It was the Jesuit doctrine of the end justifying the means, put into practice by avowed anti-Jesuits.

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[1] If the agreement of 1648 for the restoration of Charles I. was an "unlawful engagement against our neighbour nation of England," as the Scottish clergy asserted, surely the Scottish agreement with Charles II. was open to the same charge.

No excuse about the claims of the Solemn League and Covenant can obscure the fact, of which contemporary evidence furnishes ample evidence, namely, that Argyll committed his country to a wrong course because his masters, the ministers, yearned to destroy the Sectaries. The Scottish draughtsmen of the Solemn League and Covenant (which must be very carefully distinguished from the purely Scottish National Covenant, a document framed for a wholly different purpose), were under no illusions about its object and its scope. By employing, in deference to Scottish contemporary taste,[1] the Biblical word "Covenant" to signify an agreement between two nations on political and religious questions, they had no real intention of endowing the treaty with the characteristics of a Jewish Covenant. Certainly, the other contracting party viewed the alliance and the agreement from what might be called, not inaptly, a "business" standpoint. They required the military assistance of the Scots, and were prepared to pay for it. They obtained the assistance; they paid for it, grudgingly and then only partially, but the debt was considered to be discharged. And now their successors regarded both the alliance and the sacred Covenant as "a last year's almanac." With the exception of the Presbyterian party, still a powerful but temporarily a helpless factor in the community, no one in England was sorry to see the last of a document "made in Scotland," which their Presbyterian Parliament had tried to thrust down English throats. The Covenant was thus in the anomalous position of being disowned, practically, if not formally, by the representatives of one of the two contracting States. It had never been abrogated by the English Parliament. But it was moribund, and as a vital force, past revival. All that remained, from the English point of view, was to give it decent burial.

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[1] "Bands" (or bonds) had long been favourite instruments in Scotland for embodying undertakings in the joint interests of the contractors. The word "Covenant" in these pages, except when prefixed by the adjective "National," means the Solemn League and Covenant.

Instead of burying, the Scots tried to rejuvenate, the Covenant. Plainly, the situation was too unreal for the Covenant to be anything more than a pretext for the espousal of the King's cause, and for interference in the domestic affairs of another nation. The Covenant was the sole sanction for their policy. Therefore they clung to it with a tenacity that would otherwise be inexplicable. It formed the basis at once of their attitude towards England and their bargaining with the King.

A course of negotiations was now set on foot by the Scottish Estates (actively assisted by the Kirk), of which the main feature was the amazing insincerity on both sides. The Scots Commissioners on the one side, and Charles and his advisers on the other, took indeed scarcely any pains to conceal from one another the hollowness of their mutual professions of esteem. Each side needed the other side for its own ends; and each side was vividly conscious of the fact. The Scots who had thrown out a challenge to the English Parliament that was needlessly provocative, clogged their adherence to the King with conditions that stripped it of all grace. They wanted a "tame" king, and they were prepared to pay the price for him. Charles on his part was willing to humour them until he got firmly seated in the saddle. And then? But he had many a weary mile to trudge before that question need be answered.

Early in 1650, The Hague was the rallying-ground of the Royalists, and the refuge of the Scottish Engagers like Lauderdale and Lanark, the latter being now Duke of Hamilton. Like his brother who had suffered the death penalty after his defeat at Preston, Hamilton was an amiable and physically brave man, but weak in character. At The Hague, as elsewhere, he was dominated by his masterful colleague, and his advice to Charles on Scottish affairs was singularly nebulous and unhelpful. Not so the counsel of Lauderdale, who always knew his own mind, and never failed to express his views with subtlety or vigour, as the occasion required. Lauderdale's relations towards the Royalists, on the one hand, and towards the Argyll faction on the other, were of such a nature as demanded extreme circumspection on his part. To Edward Hyde, the later Clarendon, whose special province it was to guard with jealous care, the prerogatives of the Stewart Throne and the privileges of the Anglican Church, Lauderdale as a Scot, a Covenanter, a politician, and a man, was an object of ineradicable dislike. Also, he distrusted Cottington as a Catholic; hated Buckingham as a rake; and despised Jermyn as a "vain, shallow, false man." Even the great Montrose, whose single-minded loyalty (with Hyde's honesty) alone redeemed the pinchbeck Court of Charles from contempt, was not immune from the criticism of the immaculate Chancellor, who doubted the solidity of his character. Yet Montrose was an out-and-out Royalist, who based his hopes on a Scottish national reaction, untrammelled by the Covenant—the "damnable Covenant" as the choleric Hyde called it. No enemy was held in such abhorrence by the Kirk as Montrose. He

WILLIAM, 2nd DUKE OF HAMILTON

(From an engraving by W. T. Fry, after Mytens)

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was a "cursed man"; he was "the most bloody in our nation"; he was "that fugatious man and most justly excommunicate rebell James Graham." In the course of time these maledictions have rebounded against their authors, who stand self-convicted of being blinded by bigotry against any recognition of Montrose's nobility of character. Towards Lauderdale, the attitude of the Kirk was that of a sorrowful parent who admonishes an erring child. He had gone astray over the Engagement, and must make amends for his folly, but the path of forgiveness would be made easy for him. "There will be a penitential speech expected of yourself before your reconcilement to the Kirk." So wrote Balmerino to Lauderdale in December 1648. It was an easy way out of a difficulty; and when the proper time came, after a period of probation, the repentant Lauderdale did not fail to purge himself in the prescribed form from the taint of disobedience to the Kirk.[1] But meantime, at The Hague, distrusted by the Royalists by whom he was surrounded, and estranged from the ruling party in Scotland, his path was a thorny one.

He picked his way through it with prudence and courage. His most valuable asset was the personal friendship of Charles, who placed implicit reliance in the soundness of his judgment. Lauderdale was still a Covenanter. His personal ease at The Hague would have been sensibly increased had he disowned the Covenant, like Montrose, or sworn at it, like Hyde. But he recognized hard facts. He knew that the Covenant had outworn its usefulness as an international treaty; but he knew that it remained as a symbol of a political and religious frame of mind. He knew, also, that if Charles followed Montrose's advice, and threw himself upon the tender mercies of the Scottish opponents of the Covenant, he would be following a will-o'-the-wisp that would lead him into a Scottish bog. He knew further that to those Scots who temporarily held political power, and to the ministers who were the real leaders of the nation, the King was merely a pendant of the Covenant, as the Covenant was an excuse for their ambitions. Unless Charles consented to take the Covenant, Lauderdale was perfectly well aware that all hope of Scottish assistance must be abandoned.

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[1] Clarendon says that while Lauderdale was "admitted" to penance, Hamilton's petition to be admitted was rejected (*Cal. of Clar. State Papers,* II. p. 77). He was sent to Arran, "a place for the most part inhabited with wild beasts"!

When the Commissioners from the Scottish Parliament and Kirk came over to Holland to place their proposals before the King, they found in Lauderdale a useful coadjutor.[1] The Commissioners' demands were three in number: (1) Establishment of the Solemn League and Covenant; (2) confirmation of all Acts of the Scottish Parliament establishing Presbyterian Government and worship; and (3) reference to the Parliament in all civil, and to the General Assembly of the Church in all ecclesiastical, affairs. Charles consulted both Montrose and Lauderdale on these demands, and their replies were characteristic of the men. Montrose advised him to refuse to ratify the Solemn League and Covenant.[2] That meant, in effect, the adoption of Montrose's plan of relying entirely upon genuine Royalists in Scotland, like himself. Of these, as events proved, there were few, and the few were of small value as Royalist assets. Lauderdale, knowing that it was the Covenant or nothing, advised Charles to agree to its ratification. But Montrose and Lauderdale, while advising the confirmation of Presbyterianism in Scotland, concurred in recommending that the settlement of all matters concerning religion in England should be referred to a free Parliament there. In the end, Charles accepted Montrose's advice, which was more palatable than that of Lauderdale. And the negotiations with the Commissioners were broken off.[1]

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[1] One of the Commissioners was Lauderdale's old admirer, the Reverend Robert Baillie, who as we have already seen, fell under the spell of the personal charm of Charles. Another member of the Commission, Alexander Jaffray, expresses his disgust with the duplicity on both sides, of which he was keenly conscious. (See *Hist.*, MSS. Com. App. 1st Rep. p. 122.) Still another delegate, John Livingston, bears testimony to his distaste for the chaffering with the King.

[2] To the last Montrose was a supporter of the National Covenant, but he had always refused to subscribe the Solemn League and Covenant.

Broken off, yes; but only to be resumed at a later date, as Lauderdale's sagacity foresaw. Charles detested the idea of ratifying the Covenant. Rather than submit to that hateful necessity, he looked around elsewhere for assistance. He had not, indeed, waited for the rupture of the negotiations before trading in other markets. At the very time that he was amusing himself with the Scots, he was flirting with the Pope.[2] By means of Hyde and Cottington he tried the Spaniards, whom Hyde describes in his usual sledgehammer style, as a "wretched, miserable, proud, senseless people"; he tried, in fact, every quarter from which there was the least chance of obtaining money, sufficient even to feed and clothe himself and his threadbare Court. Perhaps it may be said that the first of the Stewarts who went begging on the Continent "spoiled the market" for the later Stewarts, after James the Second had been sent on his travels. From all the foreign Courts Charles received sympathy in abundance, but the cash was in driblets: they feared Cromwell; and they were doubtful of the security for their loans.

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[1] *Cal. of Clarendon State Papers*, II. pp. 10-12. In spite of the efforts of Hyde and other Royalists to effect a reconciliation between Montrose and Lauderdale, the two men continued in a state of complete antagonism. Their political standpoint differed in some fundamental respects. Lauderdale averred that Scotland would never forgive Montrose for his "barbarities" in the field.

[2] *Cal. of Clarendon State Papers*, II. p. 13.

Ireland remained as the last hope before capitulating to the Scots. For a time, it looked as if Irish Papists, and not Scottish Presbyterians, were to be the mainstay of the King's cause. It would have been a lucky escape for the Scots had he thrown in his lot with the Irish. But at Jersey, whither he went from The Hague to wait for the Irish fruit to ripen, he had the mortification of seeing it wither in a night before the Cromwellian blight. He had now the choice of two courses, and two only: signing the Covenant, or going out of business as a King. It did not take Charles long to come to a decision: to have a crown on his head, he would put his conscience in his pocket. The situation was pithily and prophetically put thus: "If the King join not with the Scots, he is undone; and if he doe, they are."

At Breda, in March 1650, negotiations with the Scottish Commissioners were re-opened. The Commissioners knew that Charles was now their prey; and two at least of their number had the grace to acknowledge in private, the unfairness of the pressure which they were applying to the young man's conscience. But their attitude was inflexible; it was Charles who had to bend. The influence of Lauderdale, whose "very affectionate friend" Charles had already declared himself to be, may have quickened his decision, if indeed acceleration were required. The capitulation to the Scots was complete. Complete, too, was the disappointment of Hyde's hopes, which had rested on Ormonde's management of Ireland. Hyde was virulently anti-Scottish. Also, he was violently anti-Machiavellian in his diplomacy. The King's acceptance of the Scottish demands filled him with dismay, and kindled his fierce indignation against his advisers. Had he been at Breda, instead of Madrid, where he was sent on a begging mission to get him out of the way, he would have opposed the treaty with his whole strength. "To think," so he writes Secretary Nicholas, "to think either that he will be excused from the Covenant, or that he and all may take it and break it afterwards, is such folly and atheism that they (the advisers) should be ashamed to avow or think it." As for himself, he would "rather fly to the Indies than be involved in such counsels." He scorned "to descend to any little vile arts or tricks to gain the favour of any one." His only thought was to serve the King. He "would not do that which he thought ought not to be done, to restore him to his own and the dominion of the world." As for the Scots, the treaty would "greatly puff up that insolent people." To Sir John Berkeley, he declared that "the Scots attempt to cozen, and the King intends to perjure himself . . . God Almighty does not favour combinations entered into with such perjury and resolution of perjury at the time of taking the othes."[1]

We are listening here to a passionate outburst by an honest man, who foresaw that the treaty would be thrown into the Royal wastepaper basket, and who saw, too, that both sides knew it to be a sham, and consented to the sham, each to gain its own ends. The hypocrisy was on both sides, and it was tacitly and mutually condoned. The warning words of the wise Chancellor might well have been remembered, less than two years later, when Charles was again a homeless fugitive, and when Scotland, deprived of her independence, lay under the heel of her conqueror at Dunbar and Worcester. Nor was the hypocrisy confined to the contracting parties to the agreement. Montrose had been assured by Charles that the treaty with the Scots, was not intended to be "in any way an impediment" to the arrangements in progress for an expedition to Scotland under the Marquis. He would not consent, said Charles, to anything contrary to, or in diminution of, the authority of Montrose's commission.[1] The proposed adventure of Montrose (in the success of which he was probably the sole believer), was, in the eyes of Charles, a sort of reserve fund, of little apparent value, but containing certain possibilities. If these possibilities fructified, he could always draw upon the fund. Oil and water mix as easily as did Montrose's ideals with those of the Covenanters. Ultimately, one or other of the incompatible elements of which Scottish support was composed, must be eliminated; but there was no need to abandon either prematurely. Montrose's hope was a forlorn hope; but forlorn hopes do sometimes succeed. Should Montrose succeed, then Covenant and Covenanters alike would be thrown overboard with a sigh of relief.

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[1] *Cal. of Clarendon State Papers*, II. pp. 47-49.

Such, apparently, were the views of Charles; but the Scottish Commissioners had other views. They demanded his abandonment both of Montrose and Ormonde; and certain compromising letters from the King to Montrose which fell into the hands of Argyll, gave point to the demand. Charles yielded; his assurances to Montrose were nullified: and he threw his faithful servant to the wolves. Montrose, who had already landed in Scotland, was ordered to disband his forces; a few days later, Charles formally disowned his actions; and when the ill-fated expedition came to an abrupt end, with Montrose's defeat at Carbisdale, the King told the Scottish Parliament that he did not regret the result. The historian does not look for warmth of gratitude, for services rendered, from mature men who have spent their lives in a sordid atmosphere, which chills generosity and deadens the feeling of honour. But they do expect to find a lad of twenty, a golfer and a tennis player, behave like a sportsman towards his most devoted and his most unselfish friends. Throughout his career, Charles was generous to his friends so long as they were useful to him. When they were no longer serviceable, or when they cut athwart his plans, they were thrown aside like a discarded mistress. Had the Scots been wise, they would have taken the measure of Charles by his desertion of Montrose. What was Montrose's lot to-day would be theirs to-morrow, if they placed Charles firmly in the saddle. But the Kirk party were blinded by their prejudices, and refused to see what was plain enough to cool observers of events. Their rancorous hatred of Montrose obscured their vision, and destroyed their sense of fairness. They refused to regard him as a political offender who, it is true, had plunged his country into a devastating civil war. They insisted upon treating him as a ruthless assassin, who had drenched his country in blood. From that standpoint, the pathway led straight to the gibbet, where Montrose showed a greatness of soul that put to shame equally the littleness of his enemies and the paltriness of his King. The tragedy of Montrose's execution was a sorry business for all concerned: for the Parliament that condemned him: for the Kirk that reviled him: and, perhaps most of all, for the King who deserted him. When Charles visited Edinburgh in 1650, Montrose's hand was still exhibited on the Tolbooth. It was an accusing hand.[1]

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[1] *Cal. of Clarendon State Papers*, II. p. 39.

The Scottish terms stiffened with the elimination of Montrose as a factor of disturbance. They demanded the complete suppression of Popery, not only in Great Britain but in Ireland as well; and they required guarantees from the Engagers at Charles's Court, before allowing them to land in Scotland. These guarantees do not appear to have been given, nor, apparently, was the demand pressed. Lauderdale and Hamilton were both in the entourage of Charles when he sailed for Scotland. Lauderdale, particularly, was indispensable to the King, for no one in the immediate following of Charles possessed his knowledge of the Scottish temperament, combined with his capacity for the business of diplomacy. He was quite ready to pacify the Kirk by making the "penitential speech" expected from him.[2] There is nothing to show that at this stage of his career his zeal for the Covenant had evaporated. Yet its meshes were entangling the honour of Queens and Princes, and were making bad Jesuits of good Protestants. To those who, like Queen Christina of Sweden,[1] the Prince of Orange, and the Duke of Lorraine, had advised Charles (to the great indignation of Hyde) to make any promises asked of him and break them when convenient, the Covenant was an absurd document which should not be treated seriously, and its upholders an absurd people who should be humoured as lunatics are humoured. Perhaps the thought may have occurred to Lauderdale when he saw Charles being compelled at Speymouth (before he was allowed to land on Scottish soil),[2] to take the oaths to observe the National Covenant and the Solemn League and Covenant, that Scotland had created a Frankenstein machine which was destined in time to strangle her liberties. But he may have reflected, too, that a king who is a deliberate perjurer divests himself of his kingliness, and discovers himself to his servants as an untrustworthy master. If Lauderdale was aware of the intention of Charles to go back on his treaty with the Scots, and to repudiate his oaths whenever the opportunity arrived, he was a partner in his duplicity. If he was unaware of the intention, he betrayed less insight than one believes him to have possessed.

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[1] Louis XIV. wrote to the Parliament of Scotland begging that Montrose should be set at liberty as he had only "generously performed his duty to his sovereign." Montrose was executed before the letter (which is dated Compiègne, 10th June 1650) reached Edinburgh (*Hist. MSS. Com.*, Appen. Rep. II. p. 177).

[2] Lauderdale was one of those who on 24th May 1650, were forbidden to enter Scotland under heavy penalties unless they reconciled themselves to the Estates (*Nicoll's Diary*, p. 14). He made public repentance in Largo Church on 26th December 1650 for his participation in the Engagement. A farce!

It seems probable that he played a more considerable part than has been made public, in bringing about the negotiations, as the result of which, Charles landed in the old country of the

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[1] Queen Christina of Sweden was a daughter of Gustavus Adolphus, and her character betrays its stamping in a heroic mould. Anyone who reads the accounts of her interviews with Whitelock, Cromwell's Ambassador (1653) cannot fail to be impressed by the acuteness of her judgement, which rivalled that of her celebrated Chancellor, Oxenstierne. Queen Christina admired Cromwell as a man, but not as a politician; and Cromwell reciprocated her feelings. Charles courted her, but found small favour in the disconcertingly frank eyes of the Swedish Queen.

[2] This was one of the conditions of the draft treaty signed off Heligoland. The original draft was signed at Breda on 1st May.

Stewarts. In the winter of 1649 (so he tells us) Charles wanted him to go to Scotland to see what he could do to further his interests. On the pretence of seeking to attend to his private affairs, Lauderdale obtained a pass from Scotland. At Christmas he sailed from Holland in a warship provided by the Prince of Orange, who was the only person, besides Charles and himself, that knew with what instructions he had been charged. The precise nature and scope of these instructions were never disclosed, but their general tenor may be readily surmised.

When he arrived in Scotland, he found that the Duke of Hamilton was a prisoner in his own house; and that Hamilton, he himself (Lauderdale), and "many other persons of quality" had been turned out of their employments and declared incapable of all public trust. He found, too, that he had been fined and his tenants ruined.

Fortified by his pass, he went to Edinburgh, where he consulted his friends on the situation. But Scotland got too hot for him. News had reached London of the arrival of the Dutch warship, and one John Roe was sent to Edinburgh to demand the delivery of Lauderdale and Hamilton. To this demand, the Committee of the Estates proposed to yield, notwithstanding the protests of Lauderdale's friends, Balmerino and Cassillis, who warned him of the Committee's intention. Thereupon, accompanied by Hamilton, he fled, and the Dutch warship carried them safely back to Holland.[1]

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[1] Somers' *Tracts*, VIII., pp. 509-10. The fact that so stout a Covenanter as the Earl of Cassillis reposed, at this time and later, such entire confidence in Lauderdale's faithfulness to the "good old cause," seems to afford presumptive evidence that he was regarded by the Covenanting noblemen, as a counterpoise to the anti-Covenanting

These statements, made by Lauderdale at a time when his earlier career was undergoing close scrutiny by his enemies, with the object of achieving his ruin, show the activity of his efforts in promoting the Royal interests in Scotland. Unfortunately for Scotland, his efforts were successful.

Royalists like Montrose. His attitude towards Montrose appears to confirm that view. The feeling of "caste" was strong in the Scottish aristocracy, and even those of its members who were Covenanters felt the irksomeness of their bondage to the Kirk.

CHAPTER XI

CHARLES had now secured Scottish support; but the full price had to be paid. The Scots would allow him to play at being King; but they would not allow him to be King. They would allow him to play golf; but they would not allow him to play cards. If sermons were infallible aids to virtue, the wicked Court of the Merry Monarch would never have come into being. Six a day: such is Burnet's testimony to the number of discourses which the Scottish divines thought necessary for the good of Charles's soul. The clergy thoroughly enjoyed themselves, one may suppose, but the next generation of Scottish ministers had to suffer for their enjoyment. Some excuse may be found for the attitude of Charles towards the Kirk, when it is remembered that, as a crowning affront, he was forced to sign a declaration lamenting his own sins, his father's opposition to the Covenant, and his mother's "idolatry." Even Argyll, powerful though he was, courtier though he was, prospective father-in-law of Charles though he was, could not protect the King against clerical bigotry. But he did what he could, perhaps, by making his son, Lord Lorne, Captain of Charles's guard. One of the strangest figures in this atmosphere of ecclesiastic rigour was that of Buckingham, whom Argyll considered useful in forwarding his designs, and whom Charles found useful in discovering them. One ventures to think that a diary of Buckingham's experiences in Scotland would be one of the most lively books of the time. For contrast could hardly go further than that which existed between the sober men of the Covenant by whom he was surrounded, and this vicious popinjay, who mimicked everything and everybody, who believed in nothing and nobody, and who is accused by contemporaries of having been the prime agent in debauching the morals of Charles.

Men like Buckingham had admirable material for the play of their wit, in the suicidal steps that were taken for the defence of Scotland against Cromwell. His bloody work in Ireland finished to his satisfaction, Oliver lost no time in grappling with the Scottish menace to the security of his triumph. Fairfax having declined the responsibility of appearing as an aggressor against a nominally friendly nation of fellow-Presbyterians, the way was paved for Cromwell to assume the supreme command of the Army. He entered Scotland in July 1650; but for weeks was baffled by the wary strategy of David Leslie, who, with the intention of wearing out his opponent, avoided a pitched battle. The Scottish Army had been sadly weakened by the purgation of its Royalist and semi-Royalist elements. It was a hopeless attempt to produce military efficiency by cohesion of faith. When a similar purgation of his Ironsides was proposed to Cromwell (by one of his Scottish officers), he rejected the proposal with scorn. Leslie must have seen with dismay many of his best soldiers replaced by "minister's sons, clerks, and other such sanctified creatures, who hardly ever saw or heard of any other sword than that of the Spirit"; so a contemporary Royalist maliciously describes them. We know now that "minister's sons" and "clerks" can fight in a good cause just as well as professional soldiers, provided they have the necessary training and patriotic stimulus. But it was precisely the necessary military training that Leslie's recruits lacked. The rejected 'Malignants' may have been indifferent Covenanters, but many of them were probably excellent fighting men. The calamitous interference with the material of the army extended to its strategy and tactics. When Leslie's patient strategy was about to reap its reward, by inflicting what must have been a decisive defeat upon the English forces, the Scots, on the fatal 3rd of September 1650, were delivered at Dunbar into Cromwell's hands by the folly of the clerically-controlled Parliamentary Committee (composed of men like Johnstone of Warriston) that supervised Leslie's dispositions. Lusting to destroy the Sectaries, they destroyed their country's Army. When Leslie, weakly yielding to their importunity, descended from the high ground to attack the Ironsides, the lack of discipline of his raw recruits was quickly exposed; and the Scots suffered a crushing defeat.

"Surely it's probable the Kirk has done their do." So wrote Cromwell in his rough but penetrating way. His correspondence with the Kirk before and after the battle of Dunbar, was marked by characteristic vigour of expression. The note of irony in his remonstrance with the General Assembly is delicious. The phrase: "I beseech you in the bowels of Christ, think it possible you may be mistaken" is paralleled by others in his letter to the Governor of Edinburgh Castle (9th September 1650), in which he says: "When ministers pretend to a glorious Reformation and lay the foundations thereof in getting to themselves worldly power; and can make worldly mixtures to accomplish the same, such as their late agreement with the king, and hope by him to carry on their design; they may know that the Sion promised will not be built with such untempered mortar." [1]

In "redding the marches" between civil and ecclesiastical authority, Oliver lectured the Scottish clergy in plain and forcible language. "We look on ministers," he says "as helpers, not lords over God's people." The English "brethren," he tells them, "meddle not with civil affairs further than to hold forth the rule of the Word by which the straightness and crookedness of men's actions are made evident." They had liberty "to preach the Gospel, though not to rail, nor under pretence thereof, to overtop the Civil Power or debase it as they please." [2] "Are you troubled," he asks them, "that Christ is preached? Is preaching so exclusively your function? Doth it scandalize the Reformed Kirks and Scotland in particular? Is it against the Covenant? Away with the Covenant if this be so." Prohibiting dissent in order to prevent heresy, was like keeping all wine out of the country "lest men should be drunk." This protest against clericalism lost none of its force from Oliver's avowal, that "our bowels do in Jesus Christ yearn after the godly in Scotland." [3]

There is no reason to doubt the sincerity of Cromwell's declaration that his object in invading Scotland was "not to impose upon you in Religious or Civil interests, not dominion nor any worldly advantage, but the obtaining of a just security to ourselves." [4] After his victory at

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[1] Carlyle, *Oliver Cromwell's Letters and Speeches* (1902) II. p. 229.

[2] *Ibid.* II. p. 229.

[3] *Ibid.* II. p. 234.

[4] *Ibid.*, II. p. 252. Obviously a hostile Scotland was a menace to England in many ways.

Dunbar, he had to consolidate his position. But the Scottish spirit, always at its stubbornest in adversity, was in no mood to make terms with the victor. The lesson of Dunbar had not been lost upon the Estates, and there were signs of a national revulsion of feeling against the fatal purge. The elimination of the Royalist element from public service was recognized as a gross blunder, which was repaired by a Resolution of Parliament; not, however, without a protest from the fierce Covenanters of the West. This conflict of views divided the Covenanters into two parties: the Resolutioners, or those in favour of the Resolution, and the Protesters, or those who protested against it. The split in the party permanently affected its fortunes. The Resolutioners and the Protesters stood for principles or prejudices which, in various forms, have survived to the present day; for the Resolutioners and the Protesters are still in Scotland under other names. But the indemnity granted to the "Malignants" had the effect on the country, of unifying national sentiment, and hardening the spirit of resistance against the English foe. By his victory at Dunbar, Oliver had crushed the Scottish Army: but he had roused the Scottish nation to stand fast, and to stand together.

Secretly rejoicing over the result of Dunbar Drove, (so Clarendon assures us,) Charles spoke through his nose to conceal his satisfaction. An anomalous position, forsooth, that the man for whom (nominally) the Scots were fighting should welcome their defeat! Their policy had committed the Scots irrevocably to a series of false steps. When, on the 1st of January 1651, Argyll, at Scone, had placed the crown on the head of Charles, and the King had perjured himself afresh; when "King and Covenant" were inscribed on the Scottish banners as the Scottish war-cry; the national self-deception was complete. Plainly an unsuccessful war with Cromwell would destroy the independence of Scotland. Was it fully considered what a successful war would imply? It would secure the downfall of the Sectaries. But what security was there that it would not imply also the destruction of the whole system of Presbyterianism in Great Britain? For no oaths taken by Charles in the day of his need, would guarantee their fulfilment in the day of his triumph.

Meantime the King might well have been treated with more generosity than his jailers were willing to bestow upon him. His life in Scotland was becoming intolerable to him, and it is not surprising that he decided at length to make an attempt to throw off his shackles. A plot concocted for his escape seemed to hold out a fair prospect of success. Charles, who was then in Perth, was to meet his friends at Bridge of Earn: Perth was to be captured; and the Committee of the Estates secured. But some of his friends could not keep a secret; Buckingham talked too freely; and the Committee was forewarned. That Lauderdale was concerned in this escapade (known in Scottish history as "The Start") is shown by the fact that he met Charles near Dundee, whence the King went to the house of the Earl of Airlie, proceeding next morning to Clova, where he hoped to meet Huntly. It was in this glen (South Esk) that he was overtaken by Colonel Montgomery (with 600 horse), who had been ordered to bring him back to Perth. Charles explained his adventure to the Committee with his usual assurance; and the Committee accepted his explanation with a good grace. But the lesson was not lost upon them, and the King thenceforward was treated with a greater degree of consideration than he had previously received.

He had the happiness before long of showing that he had the stuff of kings in him. Scotland was far from being a conquered nation, though further successes had fallen to Oliver's arms after Dunbar. Winter was approaching, and Cromwell confessed that the Scots were "too hard" for the English soldiers in winter. Suddenly a change occurred which, without abuse of language, may be called dramatic. At the head of a Scottish Army, with David Leslie as his Commander-in-chief—a position for which Buckingham had the impudence to apply—Charles crossed the Border, forcing Cromwell to follow him. It was the Montrose strategical touch, without (unfortunately for Charles) the complementary presence of Montrose to inspire his men by his personality, and to bewilder his foes by his celerity. The statement that Cromwell shepherded Charles into England is refuted by Oliver himself. "This present movement," he writes, "is not out of choice on our part, but by some kind of necessity."[1] It was a "kind of necessity" that might well have overturned the Commonwealth; and would probably have done so had the King received English support. But the Royalists in England were so cowed by Cromwell, or so bitter against the Scots, that the King was unable to collect more than 2000 Englishmen to aid his 10,000 Scots.[2] And the Scots were "neither excellently armed, nor plentifully stored with ammunition." At Worcester a decision was reached which, for a short space of time, lay in the balance. It was a brief but sharp struggle: a "stiff fight" as Oliver himself acknowledged. Cromwell faced military material greatly superior to that which he cut down at Dunbar in swathes. The Royalists were not "as stubble to his sword." Outnumbered though they were by more than two to one, and much inferior in equipment, the Scots, with their English allies, fought grimly, courageously, and at some points, successfully. What they lacked was not courage in their hearts, but powder in their flasks. Charles showed considerable personal bravery, the courage of his race, and animated his followers by his example. His courage, we are told by Fuller, was "imitated in the greatest measure by the Highlanders, fighting with the But-ends of their muskets when their ammunition was spent."[1]

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[1] *Oliver Cromwell's Letters and Speeches*, II. p. 320.

[2] The difficulty of finding arms (*see* letter from Lauderdale) must have also proved a serious barrier to recruiting.

A contemporary Royalist writer explains the aloofness of Englishmen from Charles's effort by the suggestion that it mattered little "whether on the one side, they submitted to a cruel servitude under the tyranny of their own countrymen; or on the other, whether they became obnoxious to the pride of the insulting Scot." Also, he explains the cruel treatment by the English peasantry of the Scottish refugees from Worcester, by "the memory of the Scottish injuries which that nation not many years before had brought upon them."[2] Statements such as these, and others of a similar nature in contemporary publications, throw a strong light on the state of international feeling, and particularly on the state of the Royalist feeling in England against the Scots.

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[1] *The Royal Miracle*, p. 24.

[2] *Ibid.*, pp. 111-112.

Among those who accompanied Charles to England were Lauderdale and Hamilton.[1] On his way, Lauderdale wrote from Carlton near Penrith to his wife (whom he addressed as "my dear Heart"), telling her of the arrangements he had made for providing her with some money; "all that a ruined plundered man without an estate can do." He states that Charles was proclaimed at Penrith on the previous day (7th August). "As soon as we came into England, his Majesty was by an Englishman (whom he made King-at-Arms for that day) proclaimed King of England on the head of the Army, with great acclamation of the army and shooting off all the cannon of the army." "I dare say," he goes on to say (referring to the discipline of the Army) "we have not taken the worth of a sixpence." He writes with great enthusiasm about the troops. "The best Scots army that ever I saw," so he describes it. "All who were unwilling to hazard have left: a natural purge."[2]

Apparently the relations between Lauderdale and his wife, the second daughter of Alexander, first Earl of Home, were at this time all that they ought to have been. The disturbing influence which subsequently ruined his wife's happiness, and sensibly affected his own character and career, had not yet entered his life. He was happy, not only in his married life but in his friends, among whom he had none more consistently faithful than Lord Balcarres. It was to Balcarres, then in Scotland, that he wrote confidentially on the state of the Scottish Army and its requirements.

On the 7th August he says: "For God's sake send to us; and above all things, haste the levies in all Scotland and make an army to follow us. Send for powder, and let it come to the Isle of Man which must be our magazine."[1] On the following day, he tells Balcarres that "we might have men enough if we could get arms"; and he relates a brush with the enemy in which he took part. He repeats to Balcarres the phrase in his letter to his wife: "a natural purge is healthy."[2] The obvious allusion was to the "unnatural" purge that preceded Dunbar.

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[1] Hamilton fought bravely at Worcester. He was shot in the leg and died from the effects of amputation. He was buried in Worcester Cathedral.

[2] Cary's *Memorials of the Great Civil War*, II. pp. 307-8.

Purged "unnaturally" and purged "naturally," the Scots Armies suffered on "Oliver's day" (3rd September) both in 1650 and in 1651, severe defeats, which shattered the prospects alike of Charles and the Scots. Dunbar demolished the hopes of the Scottish clericals; Worcester destroyed the independence of Scotland. Argyll and the Protesting element of the Covenanters who held aloof from the English campaign[3] (Lauderdale's "natural" purge), were at Cromwell's mercy like the rest of the Scots: their aloofness did not ultimately save their protesting skins, though they were favoured more than the Resolutioners. Nor did the General Assembly[4] of the Kirk, which had gambled with Scotland's liberties, escape. Its meetings were proscribed: an arbitrary act which was wholly of political significance. Similarly, the members of the Committee of the Estates, which attempted to sit at Alyth, were seized by one of Monk's Colonels and sent to the Tower. Scotland was placed under the heel of the Commonwealth, and, until the Restoration, was governed by capable Englishmen, fairly, efficiently, and justly, but with a total disregard for national sentiment. Scotland gained by the change in an impartial administration of justice which she had never known before; and in a freedom from internal strife that was totally new in her experience. But she lost her national self-respect. Let those who will, strike a balance in this Profit and Loss account of the nation.

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[1] Cary's *Memorials*, II. p. 300.

[2] *Ibid.* II. p. 309.

[3] It cannot be denied that in spite of the initial blunder in challenging Cromwell, Argyll and the Protesters acted with greater consistency than the Remonstrant party. They fought Cromwell because he invaded Scotland, but they refused their adhesion to the Scottish invasion of England.

[4] In Montrose's key to ciphers (1648), the General Assembly is called "The good wife that wears the breeches"; and the Synod "Apes or Munkies"; Argyll is "the Ruling Elder" or "the Merchant of Middleburgh"; Hamilton is "Captain Lucklesse"; Lanark "Peter a Packs"; Lindsay "Judas"; and Montrose himself "Venture Faire." Lauderdale is not mentioned.

Meanwhile what had become of Lauderdale? After his defeat at Worcester, Charles fled for his life, accompanied by about sixty horse. Lauderdale was of the party. The King having found a hiding-place with the Penderels, the Duke of Buckingham, the Earl of Derby, Lauderdale, and about fifty others, set out for the North, but were overtaken by the enemy "and routed, and several of them taken and executed, grounded on a bloody Rump Act of the 12th of August."[1] Their captor was a Captain Edge, who afterwards received £50 for his services. Lauderdale was lodged in Chester Castle, whence he was removed to the Tower in charge of Colonel Lilburne with a body of horse. He passed through London in company with the Earl of Cleveland; and apparently he was an object of interest to the citizens. In Cornhill his coach stopped near the Conduit. A carman poked his head through the door and said, "Oh, my Lord, you are welcome to London. I protest off goes your head as round as a Hoop"; a prophecy which Lauderdale turned off with a laugh. "His Lordship's big red head," comments Carlyle on this incident, "has yet other work to do in this world."[1]

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[1] *The Royal Miracle*, p. 77. The author of *Miraculum-Basilicon* (printed in 1664) says that "for signing his Faith with the Seal of Loyalty," Lauderdale was "confined to a noysome prison until the happy Restauration of his Sacred Majesty." This is the writer who accuses the Scottish Horse of cowardice, or treachery, at Worcester, and shows a vindictive animosity towards the Scots generally.

It had, indeed. But for nearly nine years, there was ample leisure, within the four walls of a prison, for Lauderdale to use his brains in thinking out theological and political problems. From the Tower of London, in September 1654, (he narrowly escaped banishment) he was sent on May 21, 1655 to Portland Castle; and about April 1656 he was removed to Windsor Castle.[2] His estate had been forfeited to the Commonwealth (on 5th May 1654), but apparently it had been previously so encumbered by debt as to form an asset of doubtful value.[3] His wife was compelled to petition the Protector for an allowance from the estate, her condition being "exceedingly sad, losing all means of subsistence and the comforts of this life by her husband being sent away to Portland Castle." By an Order in Council, she was granted a total allowance of £500, increased shortly afterwards to £600 a year for life, any balance which the estate could not meet to be paid out of public revenue. And it is noteworthy that Lauderdale himself, in 1659, was in receipt of an allowance of £5 weekly from the Council of State, "formerly allowed him by Parliament out of the Exchequer."[4]

How he employed his enforced leisure during his captivity is not conjectural.[1] Burnet says that he studied theology and had impressions of religion which vanished in his post-Restoration days. It is certain that he was an assiduous student, an excellent linguist, and a sound scholar. One of his correspondents was Richard Baxter, and in a series of letters to Baxter, he shows a remarkable acquaintance with theological works.[2] The two men exchanged books, and Lauderdale avers that next to the Bible, *The Saints' Everlasting Rest* holds the highest place in his esteem. He helped Baxter by translating for him parts of French theological treatises. But there is evidence to show that, in spite of his assurance to Baillie, that he meddled no longer with politics, he found means, also, of keeping in close touch with his political friends who were scheming for the restoration of the monarchy. For Lauderdale was now a whole-hearted Royalist. It may be that the distracted condition of Scotland and the entangled condition of his own affairs, had decided him to nail his colours to the Royalist mast; it may be that the personal influence of Charles was the decisive factor. But the tendency of his mind had been moving in a Royalist direction since the days of the Engagement, if not earlier, and the gradual growth of his dislike for the popular cause could have only one issue. Now that he had risked all, and lost all, in the cause of the monarchy, his future, for good or for ill, was bound up irrevocably with the fortunes of Charles. And it was probably not without good reason, that one of Cromwell's spies among the Royalists abroad, wrote, in 1655, to Secretary Thurloe: "Let an eye be kept on Lather."[1] It was about this time, or a little earlier, that Charles himself wrote Lauderdale, that it was amongst his "greatest troubles" that he hears very seldom from him, and that he is totally without his advice. It is fit (he says) that he should send to him as seldom as possible, lest it might prove to his prejudice. But he cannot be altered towards Lauderdale in his "affection or esteem." "If that for which he has waited fall not out speedily, he will try some other way of which he will give account as soon as he resolves."[2]

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[1] *Oliver Cromwell's Letters and Speeches*, II. pp. 332-3. The Cornhill incident is taken from King's Pamphlets.

[2] *Calendar of State Documents* (Domestic series), 1655-6, pp. 273-5.

[3] *Ibid.*, p. 362. The yearly value is given as £2161, 14s. 1d. and the debts are stated as £33,892, 18s. 4d.

[4] *Ibid.*, 1659-60, p. 588.

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[1] He seems to have been allowed to see friends and to get books when he wanted them. He was even permitted on one occasion to spend a day in Eton, looking for a book. Books were his main solace; he had lost everything except his library and that was safe "beyond sea" (see *Baxter MSS.* in Dr Williams' Library of which eleven letters are printed in the *Bulletin of the John Ryland's Library*, July 1922).

[2] The bearer of his first letter to Baxter was James Sharp, a Scottish minister whom we shall meet later.

Lauderdale's prison-gates were opened in March 1660; before the King landed in England. In a letter from Brussels, dated 12th April 1660, Charles writes to him: "you will easily believe that I am very glad you are at liberty, and in the place where you can do me most service, by disposing your frindes to that temper and sobriety which must be a principle ingredient to that happynesse we all pray for. . . I know not how in this conjuncture to give our frindes you mention any direction or advise, sinse what they are to do must depend upon what is done somewhere else. I hope wee shall shortly meete, and then you will meete with all the kindenesse you can wish from your most affectionate friend, Charles R."[3]

The "frindes" to whom Charles alludes must be the Scottish Royalists who, by this time, might justifiably call themselves the "national" party. For Scottish nationalism, neglected, where not repressed, under an alien domination, was far from being extinguished. The fire had been smouldering during the whole period of the English occupation, and was now about to burst into a flame of loyalty to Charles, who seemed, to the mistaken eyes of Scotland, to personify her recovered liberties. The safeguards with which England hedged her welcome to her prodigal son, were by Scotland not insisted upon. A clear head and a strong hand were needed to protect her interests, and that combination revealed itself only in the person of her English governor, General Monk. And General Monk had no intention of letting Scottish interests interfere with his plans. There was no Scottish Parliament, or Committee of Parliament, to send Commissioners to the King for the arrangement of a treaty. A virile General Assembly of the Church—the watch-dog of Scottish democracy—would have been of inestimable value to the nation at this time of emergency. But the General Assembly had been suppressed by Cromwell, and there was no representative body to take its place.

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[1] *Cal. of Clarendon State Papers*, III. p. 55. [2] *Ibid.* III. p. 39.

[3] *Lauderdale Papers*, I. p. 13. In September 1659, Lauderdale and his two fellow-prisoners were to have "due liberty allowed them, the governor (of Windsor Castle) taking care that they be secured."

Individual Scotsmen, as we shall see, exercised themselves in futile efforts to protect their country against the dangers which they foresaw. And in these negotiations, Lauderdale played a leading part. But he was now about to launch on a career of ultra-Royalism, which aimed at increasing, rather than curbing, the prerogatives of the Crown. When he stepped out of Windsor Castle, he stepped into a new life. The Covenanting chapter was closed.

CHAPTER XII

To a nation which has celebrated with reasonable joy, Armistice Day 1918, when a load of unparalleled anxiety was rolled (prematurely, alas!) from the shoulders of an expectant world, the orgies which followed the Restoration may seem unaccountable. Either the sense of proportion of the nation must have shifted to a different angle since 1660, or its temperament must have become more phlegmatic. But if either or both of these explanations are correct, the change must have been produced by the Great War, for less than a generation ago, occurred what is known as Mafeking night, when the joy of a nation took a form which may well be compared with the scenes that followed the arrival of Charles II. in London. All these exuberances of popular feeling, in varying degrees, have been produced by a sense of relief for deliverance, either from a state of great suspense, or from a condition of actual danger. The Restoration connoted a sense of deliverance from both. It is usually described as the result of a reaction: but that explanation is not completely adequate. The nation felt itself to be helpless in the grip of what it is now fashionable to call "militarism." Whether Monk or Lambert gained the upper hand, it was the orders of the soldier that had to be obeyed, just as the orders of Oliver's Major-Generals had to be obeyed when the country was placed under their rule. Power is a heady liquor: even the strongest heads are not proof against its effects. Cromwell was a great and just ruler, until he was seduced from his earlier allegiance to liberty by the insidious incitements of the draught. The ministers of the Scottish Kirk were the main bulwarks of the people's rights in Scotland, until they drank of this cup, when they became the agents of a clerical despotism.

The Restoration was celebrated in the three Kingdoms with a fervour that obliterated caution. The English Parliament had greeted with shouts of approval, Monk's proposal to bring Charles over without imposing any conditions. But England had at least secured immunity from Royalist persecution, for an indemnity, which excluded none but regicides, had been promised by Charles; and Hyde was determined to keep him to his word. Scotland had not even secured that concession; and for years, the withholding of an indemnity was held like a threatening weapon over the heads of the nation as a means of extorting money. Meanwhile, the wine flowed freely. Loyalty became the test of sanity, and Puritanism hid its humiliated head. The people were ringing their bells to-day; they did not foresee that to-morrow they would be wringing their hands.

For Scotland, as events proved, the Restoration was a repudiation. Repudiated by the King, without scruple, were the oaths he had taken to observe the Covenant; the promises he had given to support the National Church; and the word he had plighted to maintain the liberties of the nation. He had the plea of *force majeure* to urge as a salve for his conscience.[1] None, indeed, but the wilfully blinded could have helped foreseeing what course he would take when power was placed in his hands. Clear-sighted politicians in Scotland must have known that the restoration of Charles, without any adequate guarantees, left their country without any effective barrier against the destruction of the National Church, the invasion of their civil rights, and an orgy of Royalist revenge. But the Kirk was no longer vocal; and the character of the Scottish Royalists was not such as to inspire confidence in their clemency in the hour of their triumph. The nation required a statesman to think for her, and a leader to act for her, at so critical a time; and neither was forthcoming. Argyll, once supreme in her councils, was now concerned, with good reason, mainly with his personal safety. But there was Lauderdale, the diplomatist, to whom the country had so frequently turned in the past to get her out of difficult situations.

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[1] When the Act Rescissory was passed in Scotland (see next chapter), it was seriously argued by its promoters, in order to escape

How to "stirre" effectively in making a treaty with the King, so that Scotland might not "lye in perpetuall oblivion," was a subject that occupied many Scottish minds immediately before the Restoration. By some, Lauderdale was thought to be "the fittest man yow can imploy in it," and it would be his duty to put "thame in mynd of their former principals, and to tell thame that if they intend to keip us still as ane conquered nation, they or thair posteritie may find the truble of holding it so."[1] But Lauderdale disapproved of "stirring" prematurely. In a letter jointly addressed by him and his former companions in

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from the awkward fact that some of the Acts to be rescinded had been passed by Charles I., that the King had acted under the influence of *force majeure*.

[1] *Lauderdale Papers,* I., p. 22.

prison (the Earl of Crawford and Lord Sinclair) to unknown correspondents, they deprecated any public agitation lest the peaceable restoration of the King might be hindered, and they implored the Scottish people to maintain a spirit of unity. "Your maine work is to unite among yourselves and to keep up the spirit of the people. Wee know but two pairties in Scotland, those who stand for the right and liberties the Laws and Government of Scotland, and those who have protested and acted against those good ends: The last we doe not looke on as Scotsmen."[1] But while all this soothing-syrup was being administered, Scotland's renewed loyalty to the Stewarts was being used financially and otherwise by Monk to further his schemes. Scotland was left in the lurch, when the time came to pay a debt of gratitude for her services, in restoring a King who chastened her with Stewart scorpions, after she had escaped from Cromwellian whips. She was like a man in the grip of a just but hard creditor, for deliverance from whose clutches he trusts (but with a trust tempered by misgivings), in the gratitude of a friend, recently poverty-stricken and now wealthy; a friend for whom, in the days of adversity, he has made heavy sacrifices. The misgivings were well-founded. The Scottish people had learned from their Bibles that it was unwise to put their trust in princes; and they had learned from their national experience that the gratitude of Stewart princes, particularly, was a frail reed to lean upon. Charles rewarded faithfully the individuals in England who secured his personal safety after Worcester; but he forgot to reward the nation that shed its blood for his dynasty at Worcester.

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[1] *Lauderdale Papers*, I., pp. 6-9.

Yet, did he really forget? Did he not reason with himself, in his shrewdly cynical way, that the blood they shed was not for Charles Stewart, or for his family, but for "Jockie Scot" and his country?

Was it the national caution that was lacking, when, without guarantees imposed and accepted, Charles was acclaimed by his "Auld Kingdom"; or was it that the national fibre had been made flabby by subjection to the "auld enemy"? In the lack of pure patriotism, untainted by self-seeking, nearly all the leading Scots of the time seemed, more or less, to share.[1] They had a desire to help their country, but they had a stronger wish to help themselves. By some, ruined fortunes had to be repaired; by others new careers had to be built up. Among the former was Lauderdale; among the latter was a minister of the Kirk, the arch-renegade, James Sharp.

Both of these men went to The Hague, Sharp as the representative of the Resolutioners' section of the Kirk (a position he had previously filled in England when Cromwell was alive), and Lauderdale, accompanied by the Commissioners of the English Parliament, in a private capacity. Sharp did nothing but cajole the Royalists and deceive the Kirk; Lauderdale laid the foundations of his future career. We are told by Clarendon what Lauderdale's attitude was at The Hague. The relations between the two men can be gauged fairly accurately by a citation from Hyde's own words.

> "The Earl of Lauderdale," so he writes, "who had been very eminent in contriving and carrying on the King's service when his Majesty

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[1] All ranks and degrees had been "tam'd into a slavish subjection by the usurpers" (Sir George Mackenzie's *Memoirs*, p. 19).

was crowned in Scotland, and thereby had wrought himself into a very particular esteem with the King, had marched with him into England, and behaved himself well at Worcester, where he was taken prisoner: had beside that merit, the suffering an imprisonment from that very time with some circumstances of extreme rigour, being a man against whom Cromwell had always professed a more than ordinary animosity. And although the scene of his imprisonment had been altered according to the alterations of the government which succeeded, yet he never found himself in complete liberty until the King was proclaimed by the Parliament, and then he thought it not necessary to repair to Scotland for authority or recommendation, but sending his advice thither by his friends, he made haste to transport himself with the Parliament Commissioners to The Hague, where he was very well received by the King, and left nothing undone on his part that might cultivate those old inclinations, being a man of much address and insinuation in which that nation (*i.e.* the Scots) excels as was then amongst them. He applied himself to those who were most trusted by the King with a marvellous importunity, and especially to the Chancellor (*i.e.* Clarendon himself), with whom as often as they had ever been together, he had a perpetual war. He now magnified his constancy with loud eulogiums as well to his face as behind his back, remembered many sharp expressions formerly used by the Chancellor which he confessed had then made him mad, though upon recollections afterwards, he had found them to be very reasonable. He was very polite in all his discourses, called himself and his nation 'a thousand traitors and rebels' and in his discourses frequently said 'when I was a traitor,' or 'when I was in rebellion,' and seemed not equally delighted

> with any argument as when he scornfully spake of the Covenant, upon which he brake a hundred jests. In sum, all his discourses were such as pleased all the company, who commonly believed all he said and concurred with him."[1]

How much of this is strictly accurate, how much is exaggeration, and how much may conceivably be sheer invention, it is not easy to decide.[2] When a man hates another as Clarendon certainly hated Lauderdale, he is not likely to deal with him tenderly when analysing his motives. It cannot be denied (one thinks) that Lauderdale could dissemble with the best of the crowd of place-seekers who cringed before Charles at The Hague. Nor can it be denied, as all the evidence shows to have been the case, that his main ambition at this juncture of affairs, was to get himself appointed Secretary of State for Scotland at the Restoration. And if he joked at the Solemn League and Covenant, he joked, because to all save a grim remnant in England, and a faithful following in Scotland, the Covenant was now a jest, where it was not a byword and a reproach. It was the fashion in the early days of the Restoration to make a mock of anything remotely savouring of Puritanism; and Lauderdale was an apt pupil in the school of fashion. He set out for The Hague with the objects of pleasing the King and placating his friends; and he seems to have been successful in both.

But Hyde was determined to keep him away, if possible, from the King's presence; obviously, he was jealous of Lauderdale's influence over Charles. When, after the Restoration, the question of the government of Scotland had to be resolved, Hyde (now Earl of Clarendon), did all in his power to get Lauderdale sent to Scotland. He proposed that his enemy should be made Chancellor of Scotland, a position that would have kept him in the background—and out of England. But Lauderdale had other views, which finally prevailed. "Foreseeing that he who was possest of his Majesty's ear would govern all," he "thought fit to reside in London." There was a contest between him and the Earl of Newburgh for the Secretaryship, Newburgh being strongly backed by Clarendon. But Lauderdale was preferred as being clearly the fitter man for the post. It was a personal triumph; for not only was he opposed by Clarendon, but "many of the English nobility" supported Newburgh, because Lauderdale was in their opinion "an enemy of the Church of England, and had been constantly opposed to the Royalists when he was President of the Committee of Both Kingdoms." Clarendon declares that Charles gave Lauderdale the signet "upon some old promise in Scotland, or new inclination upon his long-suffering, which he magnified enough." It seems clear that he was appointed Secretary for Scotland simply because he was the best man for the post.

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[1] *Continuation of History*, pp. 427-8.

[2] Hallam's opinion of Clarendon's unveracity is mercilessly severe. "He dares," (he says) "very frequently to say what is not true, and what he must have known to be otherwise; he does not dare to say what is true." (Vol. II. (Note) p. 372 (1884).)

The other Scottish appointments were filled up without much difficulty. Lieutenant-General Middleton, who had fought for Charles in the Highlands after the rest of Scotland had submitted to the English, was appointed the King's Commissioner in Scotland. With an Earldom, this appointment consoled him for the hardships he had suffered. According to Clarendon, Lauderdale recommended Middleton to the King for the post: if so, he was ill-rewarded for his pains. The Earl of Glencairn, who had also fought for Charles in the Highlands, got the Chancellorship; the Earl of Rothes, admired for "the subtilty of his wit," (which was surely superior either to his spelling or his morals), was appointed President of the Privy Council; the Earl of Crawford, Lauderdale's friend, and a Presbyterian stalwart, was entrusted with the Treasurership; the Earl Marischal replaced the Earl of Sutherland as Lord Privy Seal; Sir John Fletcher, an ally of Middleton, became King's Advocate: Sir Archibald Primrose, another of Middleton's friends, was given, (for cash down!), the post of Clerk Register; while Lauderdale's rival for the Secretaryship, Newburgh, had to console himself with the command of the King's Guard.[1]

Such was the material of the first Scottish Administration in the reign of Charles II., and these were the men with whom Lauderdale had to work, or (as it proved), the men who had to receive his orders, for he had "the ear of the King." The complexion of the Administration betrayed its probable policy. Middleton and Glencairn were High Royalists and were followed, as Burnet put it, "by the herd of the cavalier party who were now very fierce and full of courage over their cups, though they had been very discreet managers of it in the field and in time of action." Their cups! These roystering Royalists seemed to be hardly ever out of their cups. They were not sober when they framed their country's laws, and their heads were certainly fuddled when they settled their country's form of religion.

Clearly the Scottish Cavaliers were heated with wine and feelings of revenge. Honour and policy alike dictated an indemnification for their countrymen, and the King, who was too good-natured to cherish animosity, was not unwilling to pardon all except those who were concerned in the death of his father. Lauderdale pleaded with Charles for his countrymen, laying stress upon the services rendered by them to himself and his House, and the ill effect that would be produced in Scotland by a policy of discrimination against that Kingdom. Even Clarendon acquiesced in the soundness of that view. But Middleton opposed it, and particularly urged that proceedings should be taken against Argyll, and some of the Scottish Remonstrants.[1]

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[1] Sir George Mackenzie's *Memoirs of the Affairs of Scotland*, pp. 8-9.

Argyll was doomed in advance. The members of the new Government were afraid of his "craft," and even Lauderdale was thought by some to be secretly pleased that he should be put out of the way, lest he might become "a new rival."[2] The King did not play a straightforward part in his dealings with Argyll. Probably he never liked him, and no doubt he was associated in his mind with the humiliations inflicted upon him in Scotland. Yet it was Argyll who placed the crown on his head at Scone, and but for Argyll, the severity of the treatment he had received in Scotland would, beyond doubt, have been increased. The correspondence between Charles and Argyll about the time of the Restoration was full of cordiality on the one side, and loyalty on the other; and there was no hint of any intention by the King to abandon him to his numerous enemies. But influences were at work which left an impression of Argyll on the mind of Charles, that virtually sealed the fate of the Marquis. By means of his son, Lord Lorne, Argyll sought an interview with the King, and was encouraged to come to London. "There was an equivocating," says Burnet, in the message of Charles "that did not become a prince."[1] Argyll was not granted his interview. He was sent to the Tower instead, and from the Tower to Scotland, there to be thrown to the wolves. His defence was undertaken by Sir George Mackenzie of Rosehaugh, a rising young advocate who subsequently won an unenviable, if undeserved, notoriety as "Bluidy Mackenzie." Whatever Lauderdale's secret feelings were towards Argyll—it will be remembered that they were on opposite sides in 1648, and Lauderdale had "passionately" opposed the marriage of Charles to Argyll's daughter—he did "many good offices to the Marquis" during his trial; so Mackenzie testifies,[2] and he ought to know. Mackenzie attributes this assistance to Lauderdale's desire to oppose Middleton, who had soon become a rival of the Secretary. Others thought it was due to Lauderdale's partiality for "the good old Cause" (the Covenant) and his friendship for Lord Lorne, who was married to a niece of the Countess of Lauderdale. But the powerful assistance of Lauderdale and the skilful defence of Mackenzie were alike unavailing to save the Marquis. Beyond doubt, he had shown a compliance with Cromwell's aims that could not be justly excused on the ground of *force majeure*, but direct proofs were not easy to discover. These were supplied in a dramatic fashion by Monk (now Duke of Albemarle), who proved by letters which were produced, exactly what it was desired to prove. Monk played a contemptible part in this drama, with the Scottish Parliament as its scene. All that now remained was to perform the last Act at the Market Cross of Edinburgh. It was thought that Argyll would die "timorously." But as a fact, "at his death he showed much stayedness." He told his advocate that "he would not die as a Roman braving death, but he would die as a Christian without being affrighted."[1] He kept his word.

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[1] Burnet's *History*, p. 73.

[2] Mackenzie's *Memoirs*, p. 13.

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[1] *History*, p. 73.

[2] *Memoirs*, p. 38.

The three matters concerning Scotland that needed immediate handling were indemnification, the English garrisons, and the Church. The execution of Argyll and a few other examples that were made, appeased, for the moment, the Cavalier thirst for Puritan blood; but a general indemnity was not yet contemplated. The problem presented by the English garrisons in Scotland needed a prompt solution. These garrisons, as Lauderdale rightly told the King, were regarded in Scotland as "badges of slavery."

The time might come, he added, when Charles might wish to have Scottish garrisons in England. His advice therefore was to secure the affections of Scotland, by removing so obvious a source of humiliation to a proud and sensitive people, as these citadels of foreign soldiers in their midst certainly were. Clarendon opposed Lauderdale. In his view, it was necessary to keep Scotland in a state of subjection, until "all things were settled." One was the Scottish, the other the English, standpoint. In the end, the Scottish view prevailed with Charles, who, after all, was a Stewart. The garrisons were ordered to be "slighted," and although the demolition was a gradual process, carried out in a dawdling spirit, the impression made in Scotland by the decision to demolish them, was excellent. Lauderdale, as the author of this measure, was acclaimed in Scotland as a patriot. "He became," says Burnet, "very popular in Scotland."[1]

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[1] Mackenzie's *Memoirs*, p. 47.

Clarendon's interference in Scottish affairs is explained by the fact, that for the first two or three years after the Restoration, a Council sat at Whitehall to settle the broad lines of Scottish administration. This Council was composed of any members of the Scottish Privy Council who might happen to be in London, and four English Lords.[2] In effect, the arrangement (for which there were precedents) placed the government of Scotland in English hands. It was a scheme of Clarendon's initiation, which was vigorously opposed by Lauderdale. He told his countrymen (what was quite true), that it made Scotland a province of England, and that was a position which Lauderdale, the most nationally-minded of men, could never tolerate. Burnet, who was also a Scot, tells us that it would have been better for Scotland had this plan of governing her been made permanent. And he plainly hints that Lauderdale's object was to get all the power into his own hands.[3] Writing after the event, he had no great difficulty in making out a case for his point of view. But, it is difficult to deny that Lauderdale was entirely in the right. Once again, the standpoints were national; and once again, Clarendon was in the end beaten by his Scottish opponent. Possibly, it did not occur to Burnet that his fellow-countrymen might have preferred bad government by Scotsmen, to good government by Englishmen. Yet human nature being what it is, and Scottish nationalism being what it was (and is), there was something to be said for that point of view.

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[1] *History,* p. 74. Mackenzie (*Memoirs*, pp. 24-5) confirms Burnet. Lauderdale carried his point in opposition to Clarendon, Albemarle, and Middleton. Lauderdale (says Mackenzie) deserved well of his country for freeing it from the garrisons. In the presence of the King, Lauderdale kissed the warrant "with great demonstration of joy."

[2] The four English Lords were the Earl of Clarendon, the Duke of Albemarle, the Marquis of Ormonde, and the Earl of Manchester. Clarendon's proposal was for six English Lords, to balance the two Scottish Lords who had a right to sit on the English Privy Council.

[3] *History,* p. 76.

CHAPTER XIII

THE machinery of Parliament was restarted in Scotland on 1st January 1661. Pending the meeting of the Estates, a Rump Committee had performed certain Parliamentary functions, the most laborious of which was to watch for public utterances that showed a lack of appreciation of the merits of the King, or that cast doubt on the blissful character of the Restoration. The duties of the Parliament that assembled on 1st January were scarcely more arduous than those of the Committee. The elections had been so manipulated in the interests of the Crown,[1] that the Parliament the country got was surely a Parliament for its sins. The laws were prepared by the Crown-controlled Lords of the Articles,[2] submitted for debate to a Crown-controlled Parliament, and passed in the name of the Crown by a Commissioner who was seldom sober and who was rarely wise. Taking it all in all, the "Drinking" (or "Drunken") Parliament, as it was called, was unquestionably the most scandalous in the history of Scotland. How to please the King; how to remove every barrier that stood in the way of his complete supremacy in the State; these were the only matters that interested the Administration.[3]

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[1] Mackenzie's *Memoirs*, p. 12.

[2] See *ante* for the method of electing the Lords of the Articles.

[3] The "Drunken" Parliament passed an Act against swearing, Sabbath-breaking, and—excessive drinking! It cost a nobleman £20

The men responsible for its legislation were men who were ready to sell the honour of their country, in order to buy the favour of their King. In the fervour of their loyalty, by an Act of Parliament passed in March 1661,[1] they pledged the credit of the country to the extent of £40,000 sterling per annum, as a gift to Charles during his lifetime; the money to be raised mainly by the Excise on beer and ale, and partly from the Customs.[2] For so poor a country as Scotland was at the Restoration, this was a crushing burden to bear. But the Act easily passed the Articles, "which consisted of persons who expected each his own share."

In consideration of this subsidy, the Crown was to engage never to impose any cess upon the country, and "did discharge the annual tax paid to the usurper." The King had the grace to show his disapproval of this Act; but he accepted the grant notwithstanding. He marvelled how so poor a people after years of oppression, could make so liberal an offer, "and seemed rather to pity than thank them."[3] Lauderdale, "either out of love to his country or out of hatred to Middleton," protested vigorously against the grant as "an inconsiderate act of prodigality or cowardliness." "And yet" (Mackenzie goes on to say), "so strange and dangerous a thing is advancement that when he was Commissioner, and when the poverty of the country was much increased, he would not abate one sixpence of it: but was in accession to the

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(Scots) to get drunk. Also, it passed an Act decreeing the penalty of death for blasphemy; also for "cursing or beating of parents" (*A/P Scot.*, Vol. VII. pp. 202-3 and p. 262).

[1] *Acts of Parliament of Scotland*, Vol. VII. p. 78.

[2] £32,000 from the Excise and £8000 from the Customs. (Mackenzie's *Memoirs*, p. 29).

[3] Mackenzie's *Memoirs*, p. 31.

laying on many new impositions"[1]: a sentence pregnant with meaning.

This new burden "became the ruin of the people." By increasing the price of beer and ale, it depreciated greatly the value of grain, and when money grew scarce, "untimely" shifts had to be made to meet demands, and it forced poor people to give up brewing. Soldiers were quartered on the people to exact payment of the duty, and a system of oppressive extortion was set up, which left the country in a state of sullen discontent. The "Loyalty Tax" was an economic irritant, which only needed the stimulus of a religious irritant to arouse a dangerous spirit of rebellion. The Act was for the period of the King's life, but it was foreseen that his successor would insist upon its retention. "Subsidies," remarks Mackenzie, "are in this like to the devil, that both are more easily raised than laid." If the new Administration had set out to make itself unpopular at the commencement of its work, it could not have chosen a more effective method. But Middleton and his friends were utterly reckless.

They passed Act after Act, each surpassing its predecessor in servility to the Crown, and disregard for the country. Finally, this legislation culminated in a general measure of rescission, conceived as a joke by Primrose, and passed as an Act by his colleagues. Even Middleton had his scruples, which were overcome by Clarendon,[2] who would not have dared to approve of a similar measure for England. But towards Scotland, the Chancellor's attitude was consistently reactionary. The Act Rescissory swept away, at one blow, all the liberties of the people that had been secured by Scottish

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[1] Mackenzie's *Memoirs*, p. 31.

[2] *Ibid.*, p. 28.

Parliaments since the commencement of the troubles with Charles the First.

"This," says Burnet,[1] "was a most extravagant Act, and only fit to be concluded after a drunken bout. It shook all possible security for the future and laid down a most pernicious precedent." Once more, Lauderdale's attitude was sane and patriotic. He "aggravated all this heavily to the King." A breach between him and Middleton was unavoidable. But for the moment it did not widen into an open quarrel.

The Solemn League and Covenant, which the Remonstrant ministers now called the "oath of God," had, of course, to go.[2] The first step was to impose upon members of Parliament an oath which, by implication, acknowledged the supremacy of the King in ecclesiastical matters. The only member who refused to take the oath was the Earl of Cassillis, a sturdy Covenanter (like his daughter, Lady Margaret Kennedy, who married Burnet the historian),[3] and (like his daughter) an intimate friend of Lauderdale. Correspondence between the two men reveals their intimacy in 1660-1.[4] In

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[1] *History*, p. 80. By an Act of Parliament, Lauderdale secured himself against the effects of the Act Rescissory. All rights and infeftments granted to him or to his father depending on the rescinded Acts were to be valid notwithstanding the Act Rescissory (*Acts of Par. of Scotland*, VII. p. 134).

A Commission was appointed in 1663 to report on Lauderdale's losses during the Cromwellian occupation (*ibid.* VII. p. 294). He got a grant of the lands of the forfeited Laird of Swinton.

[2] This Parliament ignored the National Covenant, which had to be signed by every Parliament before entering upon its duties; otherwise legislation was nullified.

[3] During the Commonwealth, Lady Margaret narrowly escaped being shot by some English soldiers whom she persisted in "reviling" from a window as they passed by. The soldiers warned her unavailingly, so they fired, and just missed her and another woman.

[4] See *Camden Miscellany*, Vol. VIII. Commenting in 1667 upon the wastefulness of the times, Cassillis writes Lauderdale as follows: "How well might a parte of that wasted in the 3 Kingdomes on belligods bee bestowed for preserving worlds of heathen."

December 1660, Cassillis was evidently hopeful that Lauderdale might make a better Christian of the King. In a letter to Lauderdale dated 1st January 1661, he tells him of his determination to leave his Majesty's "counsels and dominions," rather than take the oath of allegiance acknowledging the supremacy of the Crown in ecclesiastical affairs. It was not until April, that, after a second refusal, he was declared "incapable of trust." He asks if he can be of any help in "promoting that project whiche you onely know." The "project" is mentioned in several of his letters, and it clearly points (I think) to the efforts Lauderdale was then making to persuade the King to continue Presbyterianism in Scotland. This is confirmed by Burnet,[1] who states that Lady Margaret Kennedy received a long letter in white ink from Lauderdale, in which he expressed great zeal for Presbytery. The King, he said, was indifferent, but was "easy" to those who pressed for a change. The best way to counter them was to send quietly to London some man of "good sense," who would tell Charles of the aversion in which the nation held Episcopacy, and would assure him that if he met their wishes in ecclesiastical matters, he could depend upon them in everything else, and particularly if he needed their services in his other dominions (England). Very few of the ministers were to be told of this plan, and above all, Sharp was to be kept in ignorance of it. (Lauderdale easily saw through the character of that fox.) The plan worked according to Lauderdale's expectations, and had the effect of increasing his influence with the King.[2]

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[1] *History*, p. 74.

[2] In December 1660, Sharp wrote to a London correspondent that Lauderdale's "deservings towards his Mother Church renders

He had to fight practically single-handed for Presbytery. Opposed to him were Middleton and his party, backed by Clarendon and the English Bishops. These were open enemies of Presbytery, but more destructive in its effects were the machinations of its secret foes. James Sharp was working for the fall of the Kirk, while professing to be its main prop. So far as one can discover, Sharp had only one outstanding virtue, namely, untiring industry. His mind was petty in direction, and commonplace in range. He had no claim to scholarship. But he was a hard worker, and he had a plausible manner. These are useful qualities. They are also dangerous qualities when allied to an engrossing ambition and complete selfishness in its attainment. Sharp's double-dealing is a revelation of hypocrisy, unrelieved (in so far as his actions reveal his character), by a trace of honest conviction. He was a man who cringed where he could not cow, and who told the truth only when the truth was more convenient than a lie. Lauderdale's attitude towards James Sharp, and Sharp's attitude towards Lauderdale, is of psychological interest. Their relationship during the reign of Charles II. was necessarily close, for it soon became clear that the ecclesiastical question was to dominate all others in Scotland.

Neither before nor since, has the interpenetration of Church and State affairs, both in England and Scotland, been so complete as it was in the

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him very precious to all honest men hier" (*Lauderdale Papers*, I. p. 42).

The allusion to the possible use of Scots to promote the King's interests in England, seems to denote the working of Lauderdale's mind, even at this early stage, in the direction of establishing the royal prerogative. As we shall see, his alleged purpose of sending a Scottish army into England was one of the main indictments against him in his later years by the House of Commons.

seventeenth century. As the complement of the duty of the State to repress heresy, it was the duty of the Church to discourage rebellion. While the difficulty of "redding the marches" between them was the primary cause of the troubles in Scotland throughout the first half of the century, the conception that the functions of the Church and State should be kept entirely separate was as yet a novel doctrine that was confined to the Sectaries. Indeed, there was a time when Scotland seemed to be heading for the counterpart of a Jewish theocracy: a State within the Church, not a Church within the State, or a Church co-operating with the State. The theocratic dream vanished with the country's independence, when Cromwell's troopers took charge of civil affairs, and kept a sharp eye on ecclesiastical pretensions without troubling themselves overmuch about theological polemics. The two divisions into which Scottish Presbyterianism was now split—the Resolutioners (the moderate party) and the Remonstrants or Protesters, the so-called "fanatics"—were treated by the Englishmen with a fair degree of impartiality. Their leanings were towards the advanced section, but they tried to hold the scales fairly. Their point of view, that it was the business of the pulpit to preach the Gospel, and not to talk politics, was emphasized by their suppression of the General Assembly. They had nothing to do with the domestic quarrels of the two parties, but they would not allow them to interfere with matters of State. It was a humiliating position for the Kirk. Her prestige suffered, as well from the bitter antagonism that existed between her two divisions, as from the fact that she had to take her orders from the despised English Sectaries.

Such, then, was the position of the Kirk when the Restoration opened up for one of her parties, a new vista of hope tempered by fear, and aspiration moderated by experience. The Remonstrants waited on events with a grim feeling that from Charles, whom they consistently distrusted, they could expect no favours. The Resolutioners had firmer ground on which to rest their hopes. In Cromwell's lifetime, they had refused to recognize his pretensions.[1] They possessed, as they thought, two personal assets of substantial value to set against the liabilities in their old account with the King. One of these assets was James Sharp, and the other was Lauderdale. But Sharp betrayed them, and Lauderdale gave them up, after a struggle in which he was swayed by conflicting interests.

The conflict in Lauderdale's mind arose from the opposition of an emotion to a fixed purpose: loyalty to his past, and care for his future. It soon became clear that the two were not reconcilable; and the stronger ultimately prevailed. Burnet tells us that when Lauderdale was in prison, he had "read a great deal of divinity and almost all the historians ancient and modern." In all probability, he had also read *The Leviathan*, and subsequently met and conversed with the author. After the Restoration, his political standpoint was unadulterated Hobbesianism: he was an egoist after Hobbes's own heart. Self-preservation, which Hobbes identified with the Law of Nature, became his guiding rule of life: he was surrounded by enemies, and he protected himself against them by any means that served his purpose. The end justified the means, and to him the means were thus rendered lawful. Self-preservation rested entirely upon the favour of the King; and the favour of the King, at all cost and at any cost, had to be retained. The loss of that favour meant extinction; political obliteration, and personal ruin. Hobbesian egoism supplied the motive for avoiding this calamity; his own dexterity supplied the means.

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[1] Cromwell tried, but with no great success, to win the favour of the Resolutioners, who made no secret of their Royalist leanings.

The Hobbesianism of Lauderdale comes out quite clearly in his conception of the relations between a sovereign and his subjects. "If it be yo$^{r.}$ will, yow shall see we know no law but obedience." So wrote Lauderdale to Charles in 1663,[1] and these words contain the germ of his political doctrine. That doctrine was Hobbes's monstrous *Leviathan* in its application to existing conditions. It is hard to say whether Lauderdale subscribed to the Hobbesian theory of an implied social contract, which placed power absolutely and unreservedly in the hands of the sovereign as the embodiment of the State. But the practical standpoint of both is the same: "no law but the King's will."[2] In these days, Hobbes's political philosophy is perhaps as little regarded as his ethical theories; but it cannot be denied that the influence of both on his contemporaries was considerable. The King was certainly influenced by his distinguished mentor, and it would appear equally certain that Lauderdale, a scholar and a thinker, likewise fell under the spell of "the old gentleman," who was physically timid, and whose physical timidity inspired his philosophy. The idea of "self-preservation" as the basis of a philosophical system surely received its death-blow in the Great War.

Safety first! But it would be doing Lauderdale an unwarranted injustice to assume that he was concerned entirely with his personal safety. Attention has already been directed to the presumption that exists for the belief, that his attachment to the King was notably strong, and that his gratitude to Charles was not merely a lively sense of favours to come. Thus we have the personal factor in the shaping of his policy, as well as what I have assumed to be his Hobbesianism. Both were powerful impellents towards the same end: the complete and undisputed establishment of the King's prerogative.

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[1] *Lauderdale Papers,* I. p. 185.

[2] *Ibid.,* I. p. 185.

But this tendency was met by a counter-current, and the conflict betrayed itself in a series of apparent inconsistencies. His acts revealed a passionate attachment to the assertion of the Royal prerogative; but, if Burnet is to be believed, "he was in his principles much against Popery and arbitrary government; and yet by a fatal train of passions he made way for the former and had almost established the latter."[1] A more precise definition of "arbitrary government" is required for gauging the value of that statement accurately. Burnet wished apparently to convey the impression that Lauderdale's policy was opposed to his convictions; but the available evidence does not support that view. The whole trend of Lauderdale's political progression, or retrogression, was towards autocracy. He had seen a King, who had attempted to rule unconstitutionally, displaced by a Republic; and a Republic governed by a despot who was also a democrat. His theories of government were formed, not merely as the outcome of his studies, but as the result of his personal experience. He had presided over the Committee of Both Kingdoms, a body which thought to combine the attainment of democratic ideals with the perpetuation of international amity; and he himself had been thrown into prison for espousing a cause which in the past, had been identified with an assertion of untrammelled autocracy. His experience was thus varied and instructive, and during the nine years of his captivity, he had had sufficient leisure to draw practical conclusions from its teaching. He had never been a democrat, for his leanings, even during the ascendancy of democracy, had been aristocratic. The weaknesses revealed by democratized institutions had confirmed his early prepossessions, and had driven him, gradually but surely, towards an ideal which substituted the rule of the one for the rule of the majority. He found from his study of classical history, and he had observed (as in these days we have seen so forcibly exemplified) that democracy in some of its bastard forms of development, can be as tyrannical as absolute monarchy; and that such developments are in their essence the negation of the faith which democrats profess. Thus, to Lauderdale, the Hobbesian conception of the State would seem to be the simplest and the most effective means of ensuring a condition of national stability and safety. Between 1649 and 1660, all other devices of government had shown themselves to be defective at one point or another, and had broken down in their working. The human element was the uncertain factor; and the concentration of the human element in the person of a King, minimized the risk of misrule.

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[1] *History*, p. 70.

That, as I conceive it, was Lauderdale's political position at the Restoration. But the Church question made complex what would otherwise have been simple. Hobbesianism required, and logically required, that the State, in the person of the

King, should have complete supremacy over the Church. According to that theory, the relationship between the two provinces should be, not interpenetrative and complementary, but dominative and subservient; one should command, and the other obey. And on the question which was to command, and which to obey, no Hobbesian could have any doubt. The State, that is, the King, could tolerate no rival that promulgated laws in conflict with, or doctrines tending to subvert, the laws of the State. The Church could not be allowed to be a disturber of the peace, or a promoter of civil discords, or a teacher of anything derogatory to the authority of the King, the personification of the State. The Church, in short, must be a department of the State; or, in other words, the King's submissive subject.

That was the corollary of absolute monarchy. To Lauderdale, as a life-long Presbyterian, whose career had been so long and honourably bound up with the maintenance of religious liberty, it was a doctrine the acceptance of which would have made his breach with the past complete. He was not, and never had been, in agreement with the pretensions of the party of the Kirk that exalted its functions above the State. The Kirk's retention of some Roman relics of authority, such as the Divine Right, and its corollary, the power of excommunication (he himself had suffered from its exercise), must have been repellent to his notions of Protestantism. But he had ever shown himself zealous in the cause of ecclesiastical self-government, and it must have been with a divided mind that he now faced the outcome of his new political creed. To the emotions aroused by the complexity of his situation, are attributable the apparent inconsistencies in his attitude during the early years of the Restoration; his denunciations of the Covenant in public, and his earnest representations in private to the King, to do nothing to disturb existing religious institutions in Scotland; his temporizing speeches; and his equivocal acts. He found in his experience, that logic and inclination are sometimes ill yoke-fellows.

CHAPTER XIV

A NEW Government had been given to Scotland: it was now necessary to provide her with the framework of a new Church. That was decided upon, after a debate in which Lauderdale found himself standing almost alone. The problem for him to solve was: How to reconcile Presbytery, which he wished to retain, with the royal prerogative which he was resolved to establish. There is presumptive evidence that, given the time, he hoped to be able to fit in the Presbyterian system with autocratic government in the State. How he expected to fuse two such warring elements does not appear, for he was never afforded the opportunity of trying; and when, at a later period, he did try to weld Episcopacy and Presbytery together, and link them with autocracy in the State, he found himself completely baffled. Clarendon describes the proceedings of the conference with Scottish Commissioners, which was held in London in 1661, to discuss the future of the Church in Scotland; and he gives us (in his usual caustic manner, when writing about his opponents), the gist of Lauderdale's arguments. Clarendon himself, as one of the English Lords entitled to sit on the Council, was present at the meeting.[1]

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[1] The account of the proceedings at this meeting, as given in the text, is taken from Clarendon's *Continuation*, pp. 434-440 and Mackenzie's *Memoirs*, pp. 53-6.

The proposal to re-establish Episcopacy in Scotland was made by Middleton, and with the exception of Lauderdale and two supporters, the whole of the Commissioners concurred in it. "Away with the Covenant" was to be the preliminary step. That would humiliate the preachers, "prevent any unruly proceeding of theirs in their Assembly," and, with the abrogation of certain obnoxious Acts, would restore the King's power in ecclesiastical affairs. Also, "the most learned and best part of the ministers" desired to be governed by Bishops, and "the whole nation" would be glad to be freed from the clergy's tyranny.

That was the Commissioners' case for the re-establishment of Episcopacy. Lauderdale's reply was a masterpiece of suppleness. The arguments on both sides were really addressed to the King, who presided, and with whom lay the final decision. Had Lauderdale boldly advocated the permanent retention of Presbytery, he would not have received a hearing. He had already discussed the matter privately with Charles, who advised him to give up Presbytery, as it was "no religion for gentlemen." In the opinion of the King, Episcopacy was a more gentlemanly religion than Presbytery; and his private view was that Romanism was a more gentlemanly religion than either.[1] So, at this conclave of gentlemen, some of whom had sufficiently proved their right to the title by their capacity for getting drunk, a plea for Presbytery would have been of as little avail as a plea for Mohammedanism. Lauderdale adapted himself to the mood of the meeting. He denounced the Covenant (but not Presbytery); professed his repentance for his share in promoting it, and his reverence for Episcopacy; and declared that he differed from his "brethren" only in the manner and the time for the proposed change. His desire was that the King should instruct his Commissioner (Middleton) not to move in the matter, and that the business of the first session of the Scottish Parliament should be confined to the vindication of Scotland from complicity in the murder of Charles I., and the assertion of the royal prerogative. After the first session, "such further advance might be made for the reformation of the Kirk as his Majesty might judge best." He named many of the nobility and leading men who were still so infatuated with the Covenant, "that they could with equal patience hear of the rejection of the four Evangelists," and he appealed to the King's own recollection, how "superstitious" was the attitude of some of his own most devoted servants toward the Covenant. Indeed (this was a clever argument), their devotion to him was based upon the obligations imposed upon them by the Covenant. If the course of the other side were adopted, Argyll, who was anathema to all of them, would be glad, for he was "not so much hated as the Covenant was worshipped and beloved": and if the Scots saw that they were to be deprived of the Covenant, they would try to preserve both Argyll and the Covenant. Argyll should be first put out of the way (he was "looked upon as the upholder of the Covenant and the chief pillar of the Kirk") before a direct assault should be made upon the Covenant. We have already seen how the "pillar" was overthrown.[1]

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[1] "For my part," wrote Charles to Clarendon, "rebell for rebell, I had rather trust a Papist than a Presbyterian one."

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[1] From a letter written by Argyll to his second son, Lord Neill Campbell, dated 11th May 1661, it would appear that an effort was

Clarendon pays a grudging tribute to the power and persuasiveness of Lauderdale's speech, which was delivered "with more advantage of elocution than the fatness of his tongue, that ever filled his mouth, usually was attended with." His arguments seemed reasonable, and the King was clearly impressed by them. Monk, to whom, as to Charles, Lauderdale made appeals in the course of his speech, was influenced by his argument about Argyll, "to whom he was no friend." Also, and mainly, he was influenced by Lauderdale's allusion to the Presbyterian ministers of London (and London was still the stronghold of Presbyterianism in England), to whom Monk's wife, Nan Clarges, the blacksmith's daughter, owed a debt of gratitude for persuading the General to make her an "honest woman." For the ministers ruled Nan Clarges, and Nan Clarges ruled her husband, the Duke of Albemarle.

Lauderdale, in short, had made an extraordinarily clever speech, which all but succeeded in determining temporarily the course of the ecclesiastical history of Scotland. It is useless to speculate on the result had his advice been followed; but it is permissible to believe that although his welding policy would have failed, much of the misery that actually befell Scotland might have been averted. What his feelings were towards the Covenant, it is not easy precisely to divine. One is tempted to believe that while recognizing that it had outrun its usefulness, and that it had been a dead-weight in Scotland ever since it had been virtually repudiated by England,

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made to fasten upon him, by means of alleged statements by Cromwell and Ireton, complicity in the death of Charles I. The attempt to put him out of the way on that count signally failed.

he still retained for it a strong feeling of respect. Old associations never lose their power over some men, and Lauderdale was one of them. Old comrades still holding aloft the tattered banner of the Covenant, kept their place in his regard. Among them was the Earl of Crawford, a strong Presbyterian and Covenanter, who got the Treasurership through Lauderdale's influence. He was too honest a man and too ingenuous a diplomatist, to conceal his opinions of the ecclesiastical changes that were proposed; and it is not perhaps too much to say, that the candour of his speech at the Council destroyed the effect of Lauderdale's subtlety.

As constructive proposals, Lauderdale suggested that either a General Assembly be convened; or alternatively, that the Provincial Councils (Synods) be consulted. A third alternative was that the King should summon to Westminster, for their views, "the ablest divines of either opinion." Middleton objected that any one of these alternatives tended to continue Presbytery (which was precisely what Lauderdale wanted), and that if this advice were followed, it would constitute an infringement of the Act Rescissory, which had abrogated Presbytery. No one offering to speak after Middleton, Clarendon remarked upon Crawford's silence, hoping to make him speak and either disown Presbytery (which everyone knew would be against his conscience), or advocate it, (which would displease the King). The hope was that Crawford would speak his mind, and lose the Treasurer's rod, which would then fall into Middleton's hands. Crawford, "thus doubly galled," did "most passionately press" for the adoption of Lauderdale's proposal to consult the

Synods. Glencairn had declared that those who favoured Episcopacy in Scotland were as "six to one." Crawford declared that "six to one" were for Presbytery. Where was the truth? It soon showed itself, but for the time, it was obscure. The Middletonians were ready to make any statement, however rash, to enable them to get their own way. Crawford went on to say that it was better to continue Presbytery, now rendered innocuous, than make changes with their attendant risks. The Act Rescissory had not abrogated Presbytery, for it was secured by Acts of the General Assembly, countenanced by the Commissioner of Charles I.: and these Acts had not been repealed. The Duke of Hamilton, who at this time was the partisan of Lauderdale, added that the reason why the Act Rescissory passed so smoothly, was that the King, in a letter he had written to the Presbytery of Edinburgh, had promised to continue Presbytery.[1]

Clarendon wound up the debate with a characteristic speech. Addressing the King, he admitted that Lauderdale had spoken "like a judicious sober person," and had given his Majesty "a very secure advice,"[2] but that Crawford had upheld all that the Scots had done during their rebellion. "God preserve me," he said, "from living in a country where the Church is independent from the State, and may subsist by their own acts; for there all

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[1] There may have been an implied rebuke in this reminder. The letter from Charles, inspired, it would appear, by Sharp, in order to lull the Kirk into a state of false security, promised to maintain the Church "as by law established." The Act Rescissory completely nullified the promise, as it was intended to do. It was a subterfuge which, as Burnet says, was "no honourable step to be made by a King, and to be contrived by a clergyman" (*History*, p. 75).

[2] Sir George Mackenzie says that Clarendon used to pay Lauderdale compliments in order to make the King believe he "lov'd his (Lauderdale's) person."

Churchmen may be Kings." Clarendon had the last word in the discussion: and it was the last word that (as the Chancellor no doubt shrewdly calculated) had the greatest weight with the King. Charles, who had been greatly impressed by Lauderdale's speech, finally concurred in the opposing view, and stated his intention of restoring Episcopacy "with all diligence," in accordance with the opinion expressed by the majority According to Clarendon, Middleton and his friends were "highly offended" with Lauderdale in undertaking to speak for a country he had not seen for ten years. They "easily discerned" that "his affected raillery against the Covenant and his magnifying Episcopacy, were but varnish to cover the rottenness of his intentions, till he might more securely and efficaciously manifest his affection to the one, and his malignity to the other."[1]

That Middleton and his friends believed Lauderdale's attitude on the Covenant and Episcopacy to be mere camouflage to conceal his real intentions, is clear enough, and in all probability their opinion was well-grounded.[2] But Lauderdale was beaten. The King's consent had been given to the immediate restoration of Episcopacy, so his Secretary was now compelled to fall in with that view, and in his official capacity give effect to it: or alternatively, resign his post. He did not resign his post. A blunt, honest man like Crawford, placed in the dilemma of choosing between acting against his conscience, or resigning the Treasurership, could

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[1] *Continuation of History*, p. 439.

[2] A certain William Ryley was highly commended by Middleton, Newburgh, and Sir John Robinson for finding the original Covenant (Solemn League) which was to be burned by the hangman. He told them that Lauderdale was displeased. They replied that it mattered not if it was hanged about his neck if he favoured it. *Cal. of State Papers*, Dom. Ser. 1660-1, p. 260.

(as he did) resign without hesitation. But Lauderdale had his political career to carve out; and in his view, the safeguarding of his political career was of more importance than the insistence upon opinions he might hold concerning ecclesiastical machinery. Also, his resignation would have deprived Presbyterianism of its most influential friend on the Council.

Clarendon's insistence upon Episcopacy in Scotland is quite intelligible. Besides being a bigoted Anglican, he was quick to realize the political importance of uniformity of government between the Church of England and the Church of Scotland. His aim was to fuse both with the State, and to place Church and State alike under the King's control. Although a professed Parliamentarian, Clarendon was really an absolutist: government by King and Privy Council, rather than by King and Parliament, was his ideal. In view of the fact that Clarendon was the dominating figure in the English Council, the application of that ideal was, in effect, joint government by Charles and Clarendon; probably with more Clarendon than Charles. The scribbling and exchange of notes that went on between the two at meetings of the Council, symbolized this dual control, which lasted until Charles discerned that his servant was becoming his master. Then, as in a similar case over two centuries later, the "Pilot" was dropped. Clarendon would have liked to dominate Scottish politics in a similar way, and with some men less able than Lauderdale, would have succeeded. But Lauderdale had taken his measure, and was far too strong a man to allow himself to be thrust aside, even by the powerful Chancellor.

The latter had the Bishops at his back. In

Gilbert Sheldon, Bishop of London, afterwards Archbishop of Canterbury, and George Morley, Bishop successively of Worcester and Winchester, he possessed helpers of uncommon ability, who supported his view that a Presbyterian Scotland would be an ill consort for an Episcopalian England. And the Duke of Ormonde used the same argument as bearing upon Episcopacy in Ireland.[1] Thus the measures taken in 1661 for establishing Episcopacy in England and Scotland were complementary, though their co-ordination was not explicitly avowed. The failure of the Savoy Conference sealed the doom of the attempts made for an accommodation between Episcopacy and Presbyterianism in England. Moderate men on both sides were overborne by Laudian zealots, who were encouraged by the moral support of a newly-elected Parliament, distinguished by an overwhelmingly Cavalier complexion. The ideal entertained by Usher of union between Episcopacy and Presbyterianism, based upon mutual concessions, seemed temporarily within reach. Richard Baxter strove manfully for its realization, and had he succeeded, the Savoy Conference would have formed one of the most important landmarks in English Protestantism. But the views of the moderate men did not prevail, and the effects of their failure have left their mark upon English ecclesiastical life down to the present day. An opportunity was missed which never recurred, to make the Church of England a

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[1] Burnet's *History*, p. 88. We have here the argument of national interdependence used in support of Episcopacy, just as it had been previously used by Henderson and other Scottish ministers, in support of their desire to establish Presbyterianism in England. It will be remembered that this was the real basis of the religious portion of the Solemn League and Covenant: protection not intolerance. But the original idea underlying the part of the Covenant bearing upon religious matters became obscured in later years by the prevailing intolerance of the times.

National Church, in fact as well as in theory. After an interval of two centuries and a half, efforts are being made to revive the object sought by the abortive Savoy Conference; and every well-wisher of the future of Christianity in England must surely approve of the object, and support whatever practical means are used for its attainment. In Scotland, too, where the question of Presbyterian unity is so much simpler, the ideal of a comprehensive National Church is being earnestly striven for, with results that are in the highest degree encouraging. But those who, in Scotland, advocate unity on an Episcopal basis, are likely to find that they are following a phantom. The memories of the seventeenth century are so persistent in the national life, and the association of Episcopacy with the tyranny of the Restoration so closely intertwined with those memories, that generations may yet have to pass before the bitterness of the recollection disappears. Also, the teaching of history shows that Presbyterianism in England, and Episcopacy in Scotland, had always been exotic plants, which needed careful nurture to preserve their vigour, and that each of them languished when the artificial stimulus was removed. In England, after the Savoy Conference, and in Scotland, after the Revolution, the future status of both, that of a sect, was clearly foreshadowed. As every free country has the government which it deserves, so every free people has the Church which suits its peculiar characteristics.[1]

For weeks before the opening of the Savoy Conference (15th April 1661), James Sharp was proclaiming the soundness of his Presbyterianism. In letters written to Patrick Drummond, a Scot, and a Presbyterian minister in London, who was in Lauderdale's confidence, he gives expression to his views. In December 1660, he urges Drummond to pay his wonted visits to Lauderdale, "whose deservings toward his mother Church renders him very precious to all honest men heir" (Edinburgh). In the same month, he deprecates any change in the government of the Church of Scotland; but qualifies the statement by saying that if he were convinced that moderate Presbyterianism could not be "as consistent with the King's interest" as Episcopacy, he would "disclaim" it. He says he is "suspected as wholly Lauderdale's, and that not without cause." He has bitter "enemies upon that score who doe make it ther work to blast me." He has given proof to Drummond that he is "an honest Scotchman," and hopes "to live and dye one." In a letter to Lauderdale about this time, he protests against the "antimagistraticall and pernitious principles" of "Guthiree, Gillespy, and Rutherford," (the leading Protesters among the ministers), and sees no remedy against their "fancied modell" and "absurd dictats" but the exercise of severity. These wicked Protesters were actually asserting that the King's letter (promising to maintain the Church of Scotland as by law established) was not to be trusted, and that whatever it professed, the design was "to bring in prelacy into this Church." Gillespie had stated that he had been approached to offer his services "for introducing preylacy" which (Sharp was confident), was "an egregious lye." Reports were current that Lauderdale himself had owned the "Episcopall party." Dr Morley (the Bishop) "had sayed they were assured of you"; that it had been reported of Lauderdale, that "yow were most devoutly employed at the Liturgy with a loud voyce joining your Amen."[1] But he (Sharp) had shown the falsity of these Edinburgh stories, and even the strait-laced were willing to give Lauderdale a "dispensation" for attending service at the Court chapel. Other persons who had come from London recently, had reported Lauderdale to be "wholly Presbyterian," and a friend of the English Presbyterians; "upon this account you have the Episcopal party against yow, and though the King caries fair, yet knowing yow to be thus affected yow are not really in favour, nor will yow signifye much in publicke affairs." Some people said that Lauderdale was inclined to favour certain of the Protesters who were known to be friends of Argyll. And Sharp concludes his letter to Lauderdale with a tirade against the Protesters.[2]

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[1] Congregationalism in England has recently adopted the Knoxian system of Superintendents, and some of its ministers are apparently not averse from giving the Superintendents the title of "Bishops." But a Nonconformist Bishop would certainly not be a "prelate."

The extracts from Sharp's letters which have so far been cited, indicate that the writer was cautiously feeling his way. While affirming energetically his Presbyterianism and his patriotism, it will be observed that he leaves a loophole for future escape from his assertions. "These are my sentiments," he might have said, "but they can be altered to suit"—what or whom? The King. The will of Charles would be the will of Sharp. Clearly he was waiting to see which way the ecclesiastical cat would jump; and particularly what course his patron Lauderdale would take. His letter to Lauderdale betrays his anxiety to know what precisely was in Lauderdale's mind.

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[1] The correspondence between Sharp and Drummond is to be found in *The Lauderdale Papers* (I. pp. 41-3, 45-56, 60-2, 64-90, and 93-4). They throw interesting sidelights on Sharp's character.

[2] *Lauderdale Papers* I. pp. 56-60.

Let a favourable word be said here for Sharp. He was capable of doing a good turn for a friend. He exerted himself on behalf of Robert Baillie (of the "Letters") when the principalship of Glasgow University was vacant, and Baillie got the appointment through the joint efforts of Sharp and Lauderdale; "my honest old friend Mr Baillie," as the latter calls him in a letter addressed to his "Deare Friend" Sharp. Baillie was one of the leaders of the moderate men, the Resolutioners, for whom Sharp was still the trusted agent. Of fitting in the Protesters with his schemes, Sharp had no hope; but he did not despair of carrying the Resolutioners with him. And this hope made it necessary to keep on good terms with that party, and especially to exclude the Protesters from appointments like principalships. But to inquire too closely into Sharp's motives would be a thankless task. Let him have the credit of being actuated by pure friendship in working in the interest of Baillie.

The trend of Sharp's views is again noticeable in a letter to Drummond, dated 31st January 1661. "I see," he writes, "no security for the fixation for the interest of Scotland but by being intirely the King's; what his Parliament hath owned to be the rights of his Crown." He thanks God he does not fear his maligners (for already his good faith was suspected). "In spyte of malice I shall be found faythfull to the King and my country and to my Lord Lauderdaill. I will not give twopence what others say of me." He does not believe in building upon Englishmen, "ther talking now of Billie Scott"; it concerns the Scots to be independent. In a letter to Drummond, dated 7th February, he says that if the Church government were to depend upon the Scots Parliament then sitting, it would undoubtedly be overturned, for "our Scots humor is ever upon extrems." He declares in a letter of 2nd March that he had written to Lauderdale on the behalf of the detested James Guthrie, the Protester, "out of charity and compassion," but Guthrie had "evidenced such pertinatiousness" that he would do nothing more to save his life.[1] Drummond was at liberty to pass on the contents of his letters to Lauderdale, as he had opportunity: "If your master be my dearest Lord (Lauderdale), as I am apt to beleeve by what you wreat, I congratulat your happines and hope he shall be kept at the helme and steer an good course whatever blasts he may meet with." In a lengthy letter to Drummond, dated 19th March, Sharp comments upon the prevailing tendency in the City of London to rail against the Scots. "Scotland," he says, "hath better reason to crye out upon the English perfidiousness, pricipitancy and inconstancy; it was never well with us since we had medling with them who knew but too well how to abuse and despise us." He agrees with Mr Hutchinson (a leading Resolutioner) in his sermon before Parliament, "that no sober man does conceive himself bound in conscience by any obligation from the Covenant, to medle or impose upon England." General Assemblies of the Church of Scotland had in the past "acted as exorbitantly as the highest prelats." He has come to the conclusion that a change in Church government is threatened; "either Erastianism of the worst form," or they must "fall upon Constant Commissioners, Moderators or Bishops." The word had been spoken at last: "Bishops." It gave little pleasure to Drummond, if one may judge from a letter expressive of injured innocence which Sharp wrote on 18th April—the last of the series—to "his honoured friend, Mr Patrick Drummond at Whythall."

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[1] Guthrie was executed a few months later. He was prosecuted for his written and spoken views on the limits of the Crown's authority. Middleton detested him as the minister who had excommunicated him, as a Covenanter, in bygone days. This courageous man was hounded to his death by his enemies. He was as intrepid on the scaffold as in the pulpit.

Meanwhile Lauderdale's "honest old friend, Mr Bailly" was honest enough and friendly enough to deal faithfully with him who in the 'Forties' had been the "good Maitland." The old man's letter to Lauderdale (18th April 1661)[1] is pathetic in its frank forebodings. It reveals a transparently sincere mind, and its pathos is increased by the fact (as the writer anticipated) that it was probably the last letter he wrote Lauderdale; for he died in 1662. He tells Lauderdale that his "hert is broken with grief" at what has been happening in Scotland: "pulling down all our lawes at once which concernit our Church since '33. Wes this good advice or will this thrive? Is it wisdome to bring bak upon us the Canterburian tymes? . . . You ar the nobleman in the world I love best and esteem most. I think I may say and writ to you what I lyk." And he does. He says plainly that if Lauderdale has "with your hert" forsaken the Covenant, and countenanced the introduction of "bishops and books," then (he does not mince his language) "I think you a prime transgressor and liable among the first to answer to God" . . . "If otherwayes your hert be wher it was" (not where you *pretended* it was) "as indeed I hope it is, and that in your own way you ar doing what you can for the truth of God, yit daylie I have my grit feirs for you . . . My hert whiles trimbles for you. I will continue to pray for you do what you will. . . . If you or Mr Sharp, whom we trustit as our own soules, have swervit towards Chanceler Hyde's principles, as now we sie many do, you have much to answer for."

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[1] *Lauderdale Papers*, I. pp. 94-6.

There was no danger of Lauderdale's "swerving" towards Chancellor Hyde's principles, and he was certainly not responsible for "pulling down" the laws since 1633. But Sharp—"Sharp of that ilk" as Cromwell deftly called him? Let us see how he stood with Clarendon in May 1661, about a month after his last letter to Drummond.

On the 21st May, he wrote Middleton from London, telling him that he had been conferring with Clarendon and the Bishops, and he has now good reason to hope that a foundation has been laid "for a superstructure which will render your name precious to the succeeding generations."[1] The "superstructure" proved to be a system under which Middleton made his name loathed by all the sober elements of the Scottish nation. Himself a renegade Covenanter, he had never concealed his intention of restoring Episcopacy when an opportunity occurred; and he had found in another renegade his willing confederate. A suggestive fact is disclosed by the Sharp-Clarendon negotiations. As we have seen, Clarendon was strongly opposed to the withdrawal of the English garrisons from Scotland, and finally gave his consent, as it would appear, only on the understanding that as a *quid pro quo*, Episcopacy should be set up. The citadels and Presbyterianism were to be pulled down together, and the Bishops, instead of the soldiers, were henceforward to "hold the fort."[1]

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[1] By the substitution of the word "odious" for "precious," the prophecy was exactly fulfilled.

Sharp tells Middleton that he had agreed with Clarendon and the Bishops, that he and Lauderdale would draw up a proclamation for the King to issue. This proclamation (a non-committal document), dated June 10th 1661, was actually issued. In effect, it was a reply to a letter dated 4th June by the Edinburgh ministers to Lauderdale. This letter, expressing a sense of uneasiness, appealed to Lauderdale to use his influence with the King against a change of Church government.[2] The proclamation promised a settlement, in terms that consisted equally with the establishment of Presbyterianism or Episcopacy.

Now it is clear that the meeting of the Scots Council in London, when the final decision on the Church question was reached, must have been held between July and September 1661, for it took place after the adjournment of the Scots Parliament on 12th July.[3] As we have seen, Lauderdale did everything in his power at that meeting to defeat the Episcopalians, and though he failed, the issue was doubtful to the last. Therefore it cannot be supposed that in May, he was collaborating with Sharp in a plot to set up Episcopacy. The truth seems to be that Sharp, as usual, was playing a double game. He was pretending to Lauderdale that he was working with him; while behind his back, he was working against him in alliance with Clarendon and the Bishops.

He had his reward. After the King's decision was known, Sharp came out in his true colours, as a man who had only one interest to serve: his own. After what had passed, the Primacy of the Church which he had worked so successfully to set up, was easily within his grasp. By an Act of the Privy Council of Scotland on 5th September 1661, the restoration of Episcopacy was declared in Scotland,[1] and on 27th May 1662, an Act of Parliament formally established it.[2] In December 1661, at Westminster Abbey, Sharp was consecrated Archbishop of St Andrews, Andrew Fairfoul (minister of Duns) Archbishop of Glasgow, Robert Leighton (Principal of the College of Edinburgh), Bishop of Dumblane, and James Hamilton (minister of Cambusnethan) Bishop of Galloway, the presiding prelate at the ceremony being Sheldon. Sharp and Leighton held Presbyterian orders. Sharp boggled at the necessity for the ordination of himself and Leighton as deacons and priests prior to Episcopal consecration; he was not yet sufficiently prelatized to scout the validity of Presbyterian orders. Leighton was equally unconvinced of the necessity, but to him, the question was of minor importance. Finally, both were privately ordained before the ceremony of consecration, and after the "feasting and jollity" of the day of consecration (Sunday 15th December), the four Bishops went North to commence their duties. They were a curious group: Sharp, crafty and insinuating, a "political" Bishop; Fairfoul, a "better physician than a divine," a man whose life was "scarce free from scandal," and "one of the cunningest men in Scotland"; Hamilton, "a good-natured man but weak"; and Leighton—what was Leighton doing in that galley? We have his own assurance, given to Burnet, that he was ill at ease: and it could scarcely be otherwise. He might have known that it would be impossible for a man of his high ideals to work harmoniously with men of the stamp of Sharp and Fairfoul. But he made the attempt, in deference to the express desire of the King and Sheldon, the latter wishing to make the new Episcopate respectable by the inclusion of a saint like Leighton. Lauderdale, too, "began to magnify him," for he recognized his worth. His merit was such that he might have been a serious rival to Sharp for the Primacy had he so desired. Far from entertaining any such desire, he chose a small diocese with a small revenue, and as events showed, his influence over ecclesiastical affairs in Scotland proved, unfortunately, to be correspondingly small.

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[1] The letter from Sharp to Middleton, the importance of which is emphasized by Dr Airy, is printed in the Appendix, Vol. II. of *The Lauderdale Papers*, pp. lxxviii-lxxxii.

[2] *Lauderdale Papers*, I. pp. 294-5.

[3] Mackenzie's *Memoirs*, p. 52.

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[1] Mackenzie (*Memoirs*, pp. 57-9) tells us what took place at the meeting of Council. A letter from the King signed by Lauderdale ("by his Majesty's command"), and dated 14th August 1661, was read: it is copied in the *Memoirs*. In it Charles recalls his promise to the Presbytery of Edinburgh to maintain the government of the Church of Scotland "settled by law." The Act Rescissory having placed at his disposal the settlement and securing of Church government, he announces his "firm resolution" to restore Episcopacy, and orders the Council to take the necessary steps to carry out his command.

The tenor of this letter seems to show that it was written after the meeting of the Council in London at which the decision to restore Episcopacy was reached, and would appear to confirm that it was held in August 1661. This is probably the letter enclosed by Lauderdale in a letter to Sharp, dated 26th August 1661 (*Scottish Hist. Soc. Misc.*, Vol. XV. p. 250): he was requested to seal and deliver the enclosure after reading it. Sharp had already seen the draft, but Lauderdale had been "commanded" to make certain alterations, which are described.

The Councillors were all "mute" at the reading of the letter. Only two of them, the Earls of Tweeddale and Kincardine, allies of Lauderdale, supported the view that the King should be asked to consult the Synods before the final step was taken.

[2] *Acts of Parliament of Scotland*, Vol. VIII. pp. 372-4.

CHAPTER XV

It will be well, at this stage, to glance at the conditions existing in Scotland at the end of the year 1661: the results of the Lauderdale policy during the succeeding years will then be more intelligible.

Relatively with England, Scotland was economically a poor country.[1] An English traveller in Scotland in August 1661 gives his impressions of the people he met, and although sufficient allowance must be made for national prejudice, and for a traveller's exaggerations, there is what is probably a substantial residuum of truth in his narrative. He says, in effect, that the Scots were poor but proud, and he gives examples of their poverty and their pride. He remarks upon their fondness for display of dress, especially on Sundays. "They lay out most they are worth in cloaths, and a fellow that hath scarce ten groats besides to help himself with, you shall see come out of his smoaky cottage clad like a gentleman."[2] Well, it may have increased their self-respect. Of self-respect they certainly had their share; and their sense of nationality was particularly aggressive. "The

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[1] The Earl of Tweeddale told Burnet (*History*, p. 189) that Scotland had only a tenth part of the population, and a fortieth part of the wealth of Great Britain.

[2] Ray's *Itinerary*, p. 153. Ten years later, another English writer makes similar statements, but in such intemperate language as to detract from the value of his account. The Scottish people, he says, are "proud, arrogant, vainglorious boasters, bloody, barbarous, inhuman butchers . . . they are perfect English-haters." (Harleian *Miscellany*, VI., p. 139). A fine string of alliterations to be sure!

Scots," says our traveller, "cannot endure to hear their country or countrymen spoken against." It is a trait in their character that has proved conspicuously persistent. The sentiment of nationality entered largely into the relations between the English garrisons in Scotland and the people in their neighbourhood. Compulsion had to be applied to induce the country-people to supply fodder to the soldiers' horses for payment. Also, the garrisons' officers and the gentry of the neighbourhood were continually quarrelling. In December 1661, Middleton was recommended to hasten the departure of the English soldiers, in order to put an end to "these jealousies and scuflings which often break out." It is not surprising that Lauderdale became a hero in his native land, when it became known that his was the hand that overthrew the citadels, the hateful symbols, not indeed of oppression, but what was scarcely less galling to the Scots: subjection to England.

The only thing that made the Middletonian Administration in the least tolerable to the Scots, was the fact that they were misgoverned by their own countrymen. Had an English Administration destroyed a tithe of the liberties of which Middleton's drunken crew deprived them, a national uprising could scarcely have been avoided. Anything English was suspected where it was not disliked, and Scottish oppression was preferred to English justice. It is true that the feeling was heartily reciprocated; that "the English would sooner bear a Mahometan for their Secretary than a Scot"; and that, collectively, Scotsmen in London in the reign of Charles II., were by no means the honoured guests and valued citizens that they have since become. It is clear to any unprejudiced student of the period, that Lauderdale's career as a statesman and a courtier was heavily handicapped at Whitehall by the fact that he was a Scot; and that he gloried in the heinousness of the offence.[1]

The question was an open one, whether or not an ecclesiastical system which was intimately bound up with the social life of England would, for that reason, be rejected by the Scots from patriotic motives. Had the English soldiers who occupied Scotland been Episcopalians, there is little doubt that the national repugnance to Episcopacy would have been increased tenfold. But they were mainly Independents, or, as the militant Presbyterians called them disdainfully, "sectaries." Consequently the antipathy of these Cromwellian soldiers towards Episcopacy had a tendency, perhaps, to raise it in the esteem of the Scottish patriots, as a system of Church government that did not agree with the "Usurpers." Also, the Scottish people were no strangers to Episcopacy, though Independency was to many of them (as twenty years previously, Presbyterianism was to many of the English) "a strange monster."[2]

On the whole, therefore, the soil in Scotland for the plantation of Episcopacy was, superficially, not unfavourable. If any change had to be made at all, the change to Episcopacy was the least likely to cause friction. The fervour of loyalty to the Stewarts, which found expression at the

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[1] In his unprinted MS. matter, Burnet emphasizes Lauderdale's mental attitude towards England as a country to be drilled into subjection to the King's will, if occasion arose, by means of Scottish loyalists. His "masterpiece" was "that the chief use the King ought to make of Scotland was to engage them in any design that he might come to have in England." (*Supplement to History*, pp. 7-8).

[2] There are contemporary allusions to Quakerism in Scotland, which show that to the Scottish people of the period it was a decidedly "strange monster."

Restoration in mad revels, equally in Scotland as in England, had not yet wholly evaporated, notwithstanding the ominous opening of monarchical rule. Episcopacy was the chief buttress of the Throne, and as such, was deserving of respect. Therefore, if it were necessary to make a change in Church government, Episcopacy ought to have a chance. But was it necessary?

It should not be too easily assumed, as it is sometimes assumed, that Scotland, in the opening years of the Restoration, and for a generation previously, was a country peopled from north to south by God-fearing, Bible-reading, Papist-hating Presbyterians. The most important centres of population were predominantly of that persuasion. But there were large areas of the country, especially in the Highlands, where the soil had proved unfavourable for the seed of Presbyterianism. Relatively small in number though they were, communities of Romanists held together in isolated groups, as they have held together down to the present day, and in other districts, the Episcopal form of Protestantism found strongholds that have consistently defied, also down to the present day, the efforts of Presbyterianism to dislodge it. Nor was the bias in favour of Episcopacy confined to the Highland glens. Aberdeen, for example, was inclined to be pro-Episcopalian. In Fife, "soul-refreshing days" were (it is true) experienced in 1660, but less than twenty years previously, the common people of St Andrews were "very ignorant," and the gentry and citizens were "not only profane and dissolute, but very superstitious and prelatical."[1] (The conjunction of adjectives is illuminating.) The piety of the

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[1] *Memoirs of the Life of Robert Blair*, p. 97.

Highlanders during the period under review is scarcely discoverable from the Public Records; on the contrary, these are full of their exceeding naughtiness. Only in the South-West, from the Firth of Clyde to the Mull of Galloway, was there unmistakable evidence of a life in which religion formed the main texture of the social system. And the hue of that religion was of the deepest Presbyterian blue. The West was the stronghold of the Remonstrant section of the Kirk.[1] Taking Scotland as a whole, this section was far inferior to its rivals, the Resolutioners, in the number of its adherents, but not, perhaps, in the quality of its political intelligence. During the English occupation, between 1652 and 1660, when the discussion of politics in the pulpit was deprecated, and "nothing but the Gospel" was preached,[2] an extraordinary revival of religious activity occurred in the West, which had an important effect upon political developments. The clergy of the Remonstrants were often men of good family, and were always men of good repute. Burnet says "their spirits were eager and their tempers sour, but they had an appearance that created respect."[3] They drilled their congregation so effectively in the niceties of exegetical reasoning that no sermon, however doctrinally abstruse, was beyond the grasp of their audiences; and "they had brought the people to such a degree of knowledge that cottagers and servants would have prayed extempore."[4] No moral agency of equal efficacy with theirs was to be found elsewhere in Scotland, and yet, notwithstanding the severity of the discipline which they imposed upon the willing people, "it can hardly be imagined to what a degree they were loved, and reverenced by them."[1] They were the trusted teachers, the faithful guides, and tried friends of the peasantry, over whom they exerted an influence, not only in spiritual but in mundane affairs, that was practically without limit.

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[1] *Memoirs of the Life of Robert Blair*, p. 113.

[2] Law's *Memorialls*, p. 7.

[3] *History*, p. 102.

[4] Burnet's *History*, p. 102. Burnet's manuscript views about the ministers are racy in their analysis. Briefly they amount to this: that the ministers were not men of learning; their temper was narrow and illiberal; and their sermons were dull. But their morals were beyond reproach, and in the enforcement of ecclesiastical discipline, they

Into this atmosphere of external saintliness, an element of a fundamentally different quality was about to come with the "curates"; of whom more anon. The consecration of the Scottish Bishops at Westminster aroused the Presbyteries then sitting in Scotland to protest, and open resistance to the imposition of Episcopacy was freely discussed. Sharp and the Privy Council of Scotland took effective steps to deal with the spirit of resistance. On 19th January 1662,[2] the Council issued a proclamation, in obedience to a command from London, suppressing the meetings of all Synods and Kirk-Sessions. When Parliament met in May 1662, Episcopacy was formally established.[3] Bishops were re-admitted to their seats, and another Act restored them to their "accustomed dignities, privileges, and jurisdictions." It is remarkable, however, that it was not until June 1663, that the Archbishops of St Andrews and Glasgow were

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showed no respect of persons—as the Duke of Hamilton discovered. (*Supplement to History*, pp. 31-2). An ill-natured English visitor, writing in 1670, says the chief studies in the Universities were for "pulpit preferment"; and that the *ne plus ultra* of the students was the degree of Master of Arts. The preachers "can extempore coin graces and prayers for all occasions. If you crack a nut, there is a grace for that." (*Harl. Misc.* VI. p. 137).

[1] Burnet's *History*, p. 102.

[2] Mackenzie's *Memoirs*, p. 62.

[3] *Ibid.*, p. 63, Acts of Parliament, 27th May 1662 (Vol. VII. pp. 372-4).

admitted members of the Privy Council, and that no other Bishops were admitted for some time afterwards. The Scottish nobles on the Council never felt comfortable when rubbing shoulders with lawn-sleeves, and their prejudices appear to have been respected by the King, who probably sympathized with them.

The re-establishment of Episcopacy in Scotland thus became an accomplished fact. From the point of view of those who promoted the change in Church government, there was something to be said for its expediency. The two sections of Scottish Presbyterianism were bitterly opposed to one another. The Cromwellian curb had alone checked their antagonism during the English occupation. The removal of the curb was followed by a renewal of the sectional enmity. By accentuating their differences, the Bishops might hope to rule both sections. But there was the risk that both might unite in defence of their common Presbyterianism; and the introduction of the mitre might thus be the salvation of the Kirk. But as events proved, the breach was too wide to permit of union, even in face of a common danger, and it was the business of the Bishops to keep it open, and to keep it wide. Yet, all that this policy produced was an atmosphere of unrest, and a general sentiment of ill-will towards the prelates. The introduction of Bishops did not fuse the warring elements in Scotland. It placed them, instead, in independent antagonism towards a system which was distasteful, though not in an equal measure, alike to the Resolutioners and the Protesters.

Lauderdale's opposition to precipitancy in setting up Episcopacy, was grounded upon his intimate knowledge of the ecclesiastical spirit of his countrymen. He knew that the peace of Scotland could not be secured until Presbyterianism had had a fair trial. His idea was, that if the Scots were allowed to retain their system of Church government, their gratitude would be such that Charles could do what he pleased with them. Alternatively, if that hope were disappointed, or if the squabbles of the two sections of the Kirk continued to disturb the public peace, the claims of Episcopacy could then, but not until then, be urged with irresistible force, not only as a pillar of the Throne, but as a preserver of the peace. From his standpoint, the policy of trying Presbyterianism, provisionally, was the surest and safest method of achieving his political aims, while according with his ecclesiastical predilections. It was the policy of a statesman, whereas the policy of Middleton and his friends was that of opportunists, careless of ultimate effects. Although he was not permitted to put his own plan to the test, he had the satisfaction of proving, by events, that his opponents' policy was comprehensively disastrous. That he was mistaken, if he believed it possible to yoke Presbyterianism with civil despotism, is in the highest degree probable. Nevertheless, the experiment of making Presbyterianism the handmaiden of the Crown, would certainly have provided useful lessons in statecraft, that would have been lost neither upon Charles nor his Secretary for Scotland: and it might have paved the way to a condition of greater liberty alike in Church and State.[1]

After the suppression of the Synods and Kirk-

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[1] These views on the probable results of the retention of the Presbyterian system are necessarily speculative, but they seem to be well-founded. It can scarcely be doubted, however, that had the Presbyterians been united, instead of being split up into irreconcilable sections, the experiment of setting up Episcopacy, if tried at all, would have had a shorter life than the actual fact.

Sessions, the next step in the elimination of Presbyterianism, was to pass an Act of Parliament, ordaining that a declaration was to be taken by all persons in public trust, against entering Leagues and Covenants and their concomitants. Particularly, the National Covenant and the Solemn League and Covenant were declared to be unlawful oaths, opposed to the Kingdom's fundamental laws and liberties. This Act was designed by the high-flying Cavaliers to trap Lauderdale and Crawford, and to deprive them, the former of his office of Secretary, and the latter of his office of Treasurer. It succeeded in turning Crawford out of his Treasurership (though Middleton missed getting the place), but Lauderdale, less scrupulous a man, and much less ardent a Covenanter, stuck to his post. According to Sir George Mackenzie, "he laughed at the contrivance, and told them he would sign a cartful of such oaths before he would lose his place."[1]

Foiled in one direction, Middleton and his associates formed another plan to ruin Lauderdale. They saw clearly that as long as he had the King's ear, so long would they have a master over them, who, while leaving them free to administer the affairs of Scotland, would lay down certain lines of policy (at anyrate in civil affairs) which they would be compelled to follow. And they had a shrewd idea of what those lines would be. An example was provided by Lauderdale's insistence that an Act of Indemnity should be passed for the protection (in effect) of the nation. Delay suited the Government admirably, for until indemnification for past offences against the Crown had been secured, the community could be bled at will by means of fines. The Cavaliers considered that they were entitled to those fines as "repairing the prejudices and losses" which they had suffered. Middleton had the King's authority to fine the chief offenders, and it was believed that the chief offenders would bribe the Commissioner rather than be fined.

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[1] *Memoirs*, p. 165. This attempt to trap Lauderdale clearly shows that in the opinion of his adversaries, he was still an unrepentant Covenanter.

The Commissioner was only too willing to be bribed, if the bribes were sufficiently large. The Cavaliers, in fact, seemed to regard the mass of their fellow-countrymen as Covenanting rogues, who should be forced to make reparation in hard cash, for the discomforts the Royalists had suffered for over a decade. From these blood-suckers (the name is not too severe), Lauderdale was anxious to deliver Scotland. Also, there was a personal factor in his anxiety, for, as a prominent ex-Covenanter, his own position was insecure. In concert with Crawford, he appealed to the King's sense of fairness. Was it just, he asked, to refuse an indemnity to Scotland while granting it to England?[1] These representations so far prevailed with Charles, that he gave instructions for an Act of Indemnity to be passed, with a power of fining that was strictly defined.

The Act of Indemnity was employed by Middleton and his friends as a means of getting rid of its author, Lauderdale. They nearly succeeded in their design: it was defeated as much by their own imprudence as by Lauderdale's dexterity. The plan was to embody in the Act a clause, excepting from places of public trust, a certain number of persons not exceeding twelve. Two drafts of the Act were prepared, one with, and the other without, this clause. The agent employed for obtaining the King's consent was Sir George Mackenzie of Tarbat,[1] who, at Court, was regarded as "one of the most extraordinary men that Scotland had produced." He was a young man of "great vivacity of parts," and "full of ambition." Middleton could hardly have chosen a better agent for circumventing Lauderdale, whose place Tarbat was designed to fill. Sir George was a "passionate" Cavalier (so his namesake describes him), and had the Royalist influence at his back: Clarendon and the whole of the Court interest were ready to help him in driving Lauderdale from power.[2]

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[1] Burnet's *History*, p. 97.

Through Clarendon's influence, he was admitted to the King's presence before Lauderdale was aware of his arrival at Court, a fact that made Lauderdale very "jealous" of the business afoot. This "jealousy" was increased by his discovery, that, while the copy of the Act which Tarbat had left for his perusal lacked the disabling clause, the copy subsequently read by Tarbat at the meeting of the Scots Council in London contained it. Lauderdale thereupon inveighed "with much passion" against Tarbat as "a most disingenuous person,"[3] but Tarbat coolly told him, in effect, that the disabling clause was a matter that concerned the King alone. Lauderdale argued against the injustice of the clause, and Tarbat gave ingenious reasons for its retention. He carried the Council with him, and the King openly showed his concurrence with his views.[4]

The rebuff suffered by Lauderdale undermined his position considerably, and for a time his fall seemed to be imminent. He was "brought so low that his Majesty would close the door upon him when he call'd in Tarbat. He was undervalued by his enemies and deserted by his friends, and if prosperity (which like all ripe things does soon corrupt) had not betray'd Middleton and his friends to too much arbitrariness and want of circumspection, Lauderdale had sunk under the weight of his own misfortunes."[1] But Lauderdale was saved, and Middleton was ruined, by "billets." What were these billets?

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[1] Afterwards Viscount Tarbat, and later the first Earl of Cromartie He died in 1714, after filling various offices, including those of Justice-General and Secretary of State. He was a man of varied and distinguished gifts.

[2] Burnet's *History* p. 97; Mackenzie's *Memoirs* p. 70.

[3] Mackenzie's *Memoirs* p. 68.

[4] *Ibid.* p. 69.

Billets (letters) represented an idea apparently conceived by Tarbat. He made the proposal at a meeting of his friends at Holyrood Abbey, and was seconded by the Duke of Lennox and the Earl of Newburgh. The object was to exclude from office, by means of a secret ballot, the twelve persons to whose exclusion the consent of the King had been obtained. The method to be adopted was for every member of Parliament to put on "a private paper or billet," the names of those whom he desired to be excluded, the twelve excludees to be chosen in this manner by a majority of votes. The intention of the promoters of the billeting was to sweep away from their path those public men who were obnoxious to them: in other words, Lauderdale and his friends. There were means of influencing the voting[2] which made the elimination of Lauderdale from public life a certainty; so it was supposed.

Lauderdale defeated the schemers cleverly and decisively. By his agent in Scotland, William Sharp (a brother of the Archbishop), he was kept informed of these manœuvres, and was thus enabled to plan counter-measures. In a letter written in sympathetic ink, Sharp informs Lauderdale that "Red"[1] (Lauderdale) "is found to be one of the 12 excepted persons."[2] A list of the obnoxious persons had been drawn up by Middleton's coterie, and the first four names on the list were Lauderdale and his friends and supporters, the Earl of Crawford, Sir Robert Moray, and the Earl of Tweeddale.[3] The latter were three of the most respected men in Scottish politics, and Moray, particularly, was a man of uncommon ability and rare charm. He shared Lauderdale's fate in being among the excepted, but Crawford and Tweeddale managed, apparently with difficulty, to escape.[4]

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[1] Mackenzie's *Memoirs* p. 73. See also *Supp. to Burnet's History* p. 22.

[2] By "solisting, threatning, commanding, etc." (*Lauderdale Papers*, I., p. 109).

The Act of Billeting was passed by an almost unanimous vote (the Earl of Haddington, Crawford's son-in-law, being the sole dissenter) of "the Parliament that afterwards rescinded it."[5] Lauderdale had waited for the plot to ripen before taking action. The time had now arrived for him to pull down the fabric of the Act, and to bury Middleton in its ruins. It was clear that either he or Middleton had to go; and he was determined that it should be Middleton. According to Burnet,[6] he went, in company with Sir Robert Moray, to the house of the Earl of St Albans, where the King was dining, and told Charles of what had happened in the Scottish Parliament. "What if they billet me, Sir," asked Lauderdale. "They dare not billet my servants," said Charles. Then Lauderdale seized his opportunity. He told the King that as a fact he had been billeted; that Middleton had not as much as asked the advice of Charles in "pulling his servants from him"; that the Acts recently passed had been touched with the sceptre without previous consultation with the sovereign, "a thing no previous Commissioner had ever done; at which procedure his Majesty was highly offended."[1]

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[1] The name of "John Red" (or Read) was first employed by Lauderdale in his correspondence with the English Royalists during the 'Engagement.' Lanark's *nom-de-plume* was "William Black."

[2] *Lauderdale Papers*, I., p. 109.

[3] *Ibid.*, p. 111.

[4] *Ibid.*, p. 112.

[5] Mackenzie's *Memoirs*, p. 75.

[6] *Supplement to History*, p. 25.

All the cards were now in Lauderdale's hands. He had skilfully aroused the animosity of Charles towards Middleton, by representing the Act of Billeting as a presumptuous attack on the King's servants, and as a sign of studied contempt for the Royal prerogative. This aspect of the matter touched Charles to the quick; and when Middleton came to kiss hands, the King threw the Act of Billeting into his cabinet, declaring that he could not follow the advice of his Commissioner and his friends, "nor could he disclose their secret"[2] (the voting). Clarendon was furious at the ineptitude of Middleton and his junta. When the latter called upon him, he told them that they had acted like madmen. Instead of attacking Lauderdale, they were now on the defensive, and all they could do was to obtain a pardon from the King for Middleton. "They had now," he said, "established Lauderdale."[3]

Clarendon was right. Lauderdale was now firmly established in the King's favour, and Middleton could scarcely hope to escape disgrace. Nor did he escape disgrace. He was advised by Primrose to take his courage in both hands, and boldly arraign Lauderdale before the King.

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[1] Mackenzie's *Memoirs*, p. 76.

[2] Mackenzie's *Memoirs*, p. 77.

[3] *Supplement to Burnet's History*, p. 25. According to Pepys' (*Diary* (1904), IV., p. 30) Lauderdale and Cooper (the later Shaftesbury) were at this time allied against Clarendon.

Primrose even drew up a form of accusation, the preamble of which was a general indictment of the Maitland family, from Lethington the Secretary of Mary Queen of Scots, down to Lauderdale the ex-rebel. The latter was charged in this document with having become a Royalist during the reign of Charles I., not from loyal motives, but as the result of his resentment against an affront which he had suffered at the hands of some Independents in the Army.[1] It was also stated that ever since the Restoration, he had been the enemy of the King's friends, and the friend of the King's enemies. But Tarbat, who had just returned from London, after trying in vain to soothe the King, had no difficulty in convincing Middleton that the time for dishing Lauderdale in this manner was past.

When, in February 1663, Middleton arrived in London "to maintain his declining interest," a Scots Council was called to hear him in his defence. For a complete reversal of rôles had now occurred, Lauderdale figuring as the accuser, and Middleton as the accused. Lauderdale made a speech which Sir George Mackenzie calls "the great masterpiece of his life." It is a lengthy speech,[2] the central accusation being that Middleton had taken too much upon himself by passing Acts without having previously obtained the King's consent, which was a slight placed upon Charles. The Act of Billeting was passed, not only without the King's knowledge, but contrary to his declared pleasure and instructions. On the question of fines, too, Middleton had broken the King's limitations, and there was evidence of bribery in the administration of the

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[1] *Supplement to Burnet's History,* p. 26. See Chap. VI. where the incident of the "insult" is related.

[2] See Mackenzie's *Memoirs,* pp. 78-89.

Act. Billeting, he went on to say, was a weapon wherewith any man's honour, his life, his posterity, might be silently destroyed, while rendering him helpless to avert the destruction. It was a stranger engine than gunpowder, for it "shoots without any noise at all." He could only compare it with the ostracism among the Athenians, "who were governed by that cursed Sovereign Lord the people," (he was addressing an aristocratic audience), and their oyster-shell billeting.

"Six times" he proceeded (addressing the King), "I have been excepted: twice for life, twice for my estate, and twice thus. Yet I bless God five of the times was during rebellion, and by usurpers, by (for) serving your Royal father and yourself, and this last (time) I hope shall be found to be done neither by your Majesty nor by your Parliament." He could not particularize the steps taken by those concerned in billeting to compass their end: such as the diligent solicitings by men of quality, the meeting held at Masterton's Tavern (Edinburgh) and elsewhere for carrying what was called the "right list." If Charles thought the persons concerned worth the trouble, he could easily discover every step they had taken "for compassing this affront put on them in the face of all Europe."

Middleton's reply to this telling attack was singularly ineffective: Lauderdale's speech was, in fact, unanswerable. The only excuse Middleton could make—and an ingenuous excuse it seems—was that he personally had had nothing to do with the billeting, either directly, or indirectly, "but by the consenting to the doing of it."

Meantime Lauderdale had induced the King to write to the Privy Council of Scotland, discharging, by the exercise of his prerogative, the payment of the first moiety of the fines due.[1] This step was alleged to be a bid by Lauderdale for popularity, and in order to lessen both the gains and the prestige of Middleton and the other Cavaliers. But Middleton, relying upon Clarendon's support, or misunderstanding an assurance given him by the Chancellor, took upon himself the responsibility of delaying the execution of the King's order. This facilitated his ruin. Lauderdale saw his opportunity to finish him off. "The Lord," he might well have said with Cromwell, "hath delivered him into my hands." He reported the matter to the King (a letter from Middleton had been read before the Scots Council in London), by saying that Middleton, and not Charles was now King, "for he could recall his Majesty's express warrant by his own private warrant." Middleton, on being called to account, defended himself by pleading misapprehension of the King's pleasure, "which answer satisfied not the King but hastened Middleton's ruin." By a new letter to the Privy Council of Scotland, dated 10th March 1663, Charles commanded the Council to issue the proclamation about the fines; and he then recalled Middleton as his Commissioner.[2]

The declining credit of Middleton reacted upon events in Scotland, and his fall created a profound impression upon that country. Correspondingly, Lauderdale's prestige was heightened:[3] in the view of his countrymen, his escutcheon grew brighter as that of his rival grew dimmer. During the billeting discussion, letters came from Scotland complaining of the "insolencies" of the Presbyterians, and that "the Churchmen who built all their expectations upon Middleton's zeal and steadiness were quite discouraged."[1] The Cavaliers and the Bishops were jubilant when Lauderdale's fall seemed imminent; they were correspondingly dejected when Middleton had to go. Lauderdale was well aware of the part played by the Bishops, led by Sharp, in seeking to undermine his influence. "Give me leave to tell you some Scots news," he ironically writes in a letter to Sharp, dated 9th October 1662. He knew, he said, of a letter that "your Lordships of the clergie" had written to the King. This letter was directed by Newburgh to Tarbat, who was to deliver it to the King "when non was by." He was sure that Tarbat expected to receive such a letter, but was also aware that it had not been delivered to the King while Tarbat was in London.[2] Lauderdale held Sharp in contempt, which in due time was not concealed; but in 1662, their correspondence was friendly enough in form. Lauderdale could afford to jest about "billets" after the danger was over. He "was endeavoured to be soundly banged with billets"; so he joked; and he played upon such words as "incapacitie" and "incapable"; while in a letter to the King, dated 10th September 1663, he writes (following the date) "being the day after Saint Billeting's Day." It was so notable a success that it was really a red-letter day in his calendar.

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[1] Mackenzie's *Memoirs*, p. 112. [2] *Ibid.*, p. 113.

[3] Pepys learned from Alsopp, the King's brewer, that "my Lord Lauderdale being Middleton's enemy, and one that scorns the Chancellor (Clarendon) even to open affronts before the King, hath got the whole power of Scotland into his hands," whereas "the other day" he was nearly ruined. *Diary* (1904) IV. p. 50.

It was during the aftermath of the billeting affair that Lauderdale was placed in the dilemma of helping an old friend and a former comrade, at the cost of displeasing the King. Sir Archibald Johnstone of Warriston, one of the main pillars of the Covenant, was in the hands of his enemies, and his execution was a foregone conclusion unless he was pardoned by Charles. At the Restoration, Warriston fled to the Continent. Convicted of friendship with Cromwell, who had made him one of his peers, he was attainted in his absence.[1] Charles, who hated Warriston, appears personally to have given orders to have him kidnapped in France, and sent to Scotland, there to stand his trial.[2] Warriston's intellect, once perhaps the clearest in Scotland, had become clouded; his memory was gone; he made a pitiful appearance before his accusers; for he was a broken man. He was condemned to die, and was executed at the Market Cross of Edinburgh in July 1663. During the preceding six months, appeals were made to Lauderdale to save a man who, according to Burnet (Warriston's nephew) "had lived in great friendship with him."[3] A moving letter from Warriston's wife drew a private promise from Lauderdale that he would "take care of her husband," once he had settled his differences with Middleton.[4] And there can be no reason to doubt that the promise was made in all sincerity. But the complete overthrow of Middleton and his faction proved a longer and more difficult task than might have been expected, and until the fruits of his victory had been gathered, Lauderdale had to tread the floor of Whitehall delicately. His whole future depended upon the

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[1] *Supplement to Burnet's History*, p. 42.

[2] *Scottish History Soc. Pubns.*, Vol. XV. p. 251.

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[1] The Laird of Swinton was also one of Cromwell's peers. He was attainted like Warriston, but was pardoned through the mediation of Middleton in order to spite Lauderdale, who got Swinton's estate, which had previously belonged to himself. (See *Nicoll's Diary*, p. 239). Swinton was an "eccentric."

[2] *Lauderdale Papers*, I. p. 156.

[3] *History*, p. 139.

[4] *Cal. of State Papers Dom. Ser.*, 1663-4 p. 29.

King's favour, and he was not going to forfeit the favour of Charles for the sake of Sir Archibald Johnstone. The latter is sometimes regarded as a canting hypocrite, but no one who reads his diary with an unbiased mind can (one supposes) doubt his religious sincerity.[1] Lauderdale, who was in Scotland sifting the billeting affair, at the time of Warriston's trial by the Scottish Parliament, tells Sir Robert Moray, his deputy in London, that he never saw so miserable a spectacle. Warriston "roared and cryed and exprest more feare than ever I saw."[2] In a later letter to Moray, he writes about Warriston: "I finde no disposition at all in the King to set any kinde of limit to the course of justice therein."[3] So it is clear that he had sounded Charles. It would appear, indeed, as if the only favour that could possibly be expected for Warriston was merely one of delaying the date of his execution. Lauderdale testifies that the sentence of death was received by Warriston "with more temper than I expected." It is certain that, following the example of his old leader, Argyll, he died on the scaffold like a Christian and behaved like a man. In spite of his avowed intention to leave him to his fate, Lauderdale seems to have made a final effort, through Moray, on Warriston's behalf. A letter from Moray which seems to be a reply to one of Lauderdale's, tells the latter (16th July 1663) that "ther was nothing to be done in Warriston's matter. The King said to me he would not meddle with him, but let justice have its course, and after that you know there was nothing

[1] See *Scott. Hist. Soc. Pub.*, Vol. 61.

[2] *Lauderdale Papers*, I. p. 145.

[3] *Ibid.* p. 153. Warriston's friend, Andrew Hay of Craignethan, tells us that General Monk was "mightily inraged against Warristoun." "The Lord help him," he adds: it was more than any man could do except the King. (*Scott. Hist. Soc.* V. 39 p. 246).

to be said."[1] Whether Charles was asked to pardon Warriston, or merely to delay the date of his execution, is uncertain. Perhaps it was the latter.

These facts seem to rebut Burnet's suggestion that Lauderdale did not stir a finger to save Warriston. "He who at all times took more care of himself than his friends" writes Burnet about Lauderdale's failure to help his uncle.[2] This accusation was written when Burnet's bitterness of spirit against Lauderdale was demonstrably strong. It is not strictly true, being disproved by facts in Lauderdale's career: notably by his acts of friendship towards Argyll, who, entirely through Lauderdale's instrumentality, was on 16th October 1663, restored to his grandfather's title of Earl of Argyll, by a patent under the Great Seal, and was granted a charter of the Earldom.[3] Other acts of a similar character disprove Burnet's assertion.[4] But there is this much truth in his statement, prejudiced and inaccurate as it is. Lauderdale would not move a finger to save Warriston (whom he calls a "wretched creature") once he saw that any further mediation on his part would be displeasing to the King. And it may be doubted whether he would have persevered in an effort to save even his dearest friend, if the King disapproved of his advocacy.

Such was the slavery of mind wrought by the theory of absolute monarchy. A statesman who, perforce, must continually bask in the sunshine of his sovereign's favour, if he is to retain his power and place, is not a free man. The English statesmen of the Restoration were in this sense unfree, until the "Country" party did something to break their shackles. The Scottish statesmen were in this sense abjectly unfree. Distance from Whitehall deprived them of the felicity of gazing upon the ugly face of Charles, with the frequency that might have stimulated marks of his favour. Besides, even had their visits to London been more numerous, they were too poor to make acceptable presents to the King's mistresses. So they had to display their affection, and grovel before Charles, by initiating, as members of his Privy Council, whatever measures they thought would be well pleasing to their master. And the Lords of the Articles, who framed the Acts of Parliament, were equally servile in legislating for the Crown, rather than for the country, when there was a conflict of interests. How the Scottish nobles must have envied Lauderdale who had "the King's ear,"[1] not only as Secretary for Scotland, but as Gentleman of the King's Bed-chamber![2]

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[1] *Lauderdale Papers*, I. p. 159.

[2] *History*, p. 139.

[3] *Letters from Argyll to Lauderdale* (Bann. Club, Vol. 24 p. 2).

[4] See Letters from Lady Margaret Burnet to Lauderdale (Bann. Club, Vol. 24) for examples. He was continually pestered by Scots people asking him to use his interest on behalf of themselves or their friends.

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[1] Pepys (1904) IV. p. 63. "A cunning fellow: never from the King's ear nor council," so Archbishop Sheldon described Lauderdale to the diarist. Sheldon and his fellow-Bishops were intensely suspicious of Lauderdale's ecclesiastical leanings.

[2] This appointment (Salary £1000 a year) seems to have been made in January 1664 (*Cal. of State Papers Dom. Ser.* 1663-4 p. 453). Wodrow (I. p. 347) hints that "Barbara Villiers, first Mrs Palmer, and then Dutchess of Cleveland, the king's she-favourite" had something to do with the freedom of Lauderdale's access to the presence of Charles. But her interest (which meant presents, and Lauderdale was a poor Scot) seems to have been quite superfluous.

JOHN LESLIE, DUKE OF ROTHES

(From an engraving by C. Picart, after Lely)

[*face p.* 262

CHAPTER XVI

"No dogge leads so buse a life. Torments of visitors in crowds, not companies, and incessant meetings. No sleep, nor time to write, and nothing like recreation makes me a very slave." So Lauderdale writes in July 1663, from Scotland to his "deare Robin" (Moray) who was acting as his deputy in London.[1] The King's new Commissioner was the dissipated Earl (afterwards Duke) of Rothes whom Lauderdale "would not trust."[2] But Rothes, who had helped Lauderdale to ruin Middleton, was kept "too visibly in dependence" on the masterful Secretary to be altogether pleasant to him.[3] Their temporary alliance served the purpose of both. Rothes stepped not only into Middleton's office, but into Crawford's place as Treasurer, the latter having refused to take the declaration against the Covenant.[4] The King recognized a kindred spirit in Rothes, and liked him well. In his cups he must have been an amusing companion, for he had natural wit, though practically no education. Besides, his niece, the Duchess of Buccleuch, was an eligible wife for the King's bastard, the Duke of Monmouth; and Rothes did his best to promote the match, which proved agreeable to both sides. Rothes had a great reception in Scotland, Middleton's enemies, particularly, crowding around him. Glencairn, the Chancellor of Scotland, was a Middleton man; a proud, narrow-minded Cavalier (Burnet calls him "dull and haughty"). He "loved Rothes," Middleton's supplanter, and "hated Lauderdale," now the colleague of Rothes. He waited upon Rothes, accompanied by what remained of Middleton's shipwrecked crew. Among these Middletonians was Tarbat, who thought it was his duty to pay his respects to Rothes, "his old friend, notwithstanding the hatred he bore for Lauderdale, his greatest enemy."[1] So that Lauderdale, when he came down to Edinburgh to inquire into the billeting affair, and incidentally to keep an eye on Rothes, found himself in a nest of Royalist hornets.

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[1] *Lauderdale Papers,* I. pp. 148-9.

[2] Burnet's *History,* p. 139.

[3] Mackenzie's *Memoirs,* p. 113.

[4] *Ibid.,* p. 113.

Yet, single-handed as he was, he proved more than a match for all his enemies. So unnerved were the latter by their failure to oust Lauderdale, that when Glencairn proposed to them that they should "adhere to their former principles," they were "under such a deep consternation that they refused to concur with him." They argued that Lauderdale had "so uncontrollable an interest" in the King, that in opposing him, they would accomplish their own ruin. Lauderdale had by this time terrorized Sharp as well as the politicians. Sharp had come to London prepared to support Middleton, but when he found that Lauderdale's star was in the ascendant, characteristically "he resolved to make great submissions to him." He had the effrontery to deny having written to the King in favour of Middleton. Lauderdale dramatically produced the original letter (which Charles had given to him) and Sharp's collapse was complete. Abjectly he begged for forgiveness, which Lauderdale granted with some graciousness, for Sharp was a useful tool. "So Sharp became wholly his."[1] Middleton had treated the Bishops as his creatures, and Sharp did not like this mode of treatment. How would Lauderdale, whose power was now undisputed, treat them? According to Burnet,[2] Lauderdale listened to the English Bishops and their friends at Court, with all the greater deference because of his past record, for he knew they were suspicious of his ecclesiastical policy. Sharp believed that the Scottish Bishops would reap the advantage of that attitude, and that Lauderdale's known favour for Presbytery would militate at Court against any action of his, antagonistic to the interests of the Scottish Episcopate. It was a shrewd idea, and a well-based assumption.

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[1] Mackenzie's *Memoirs*, p. 115. Glencairn consistently declined Lauderdale's advances (p. 117). He would have nothing to do with an ex-rebel.

The Scottish Bishops were not loved by the lay members of the Scottish Privy Council. Yet in their own interests, as these were affected by their relations with the Court, the nobles were compelled sometimes to follow where the Church led. Prelates and Councillors alike were under the heel of the King; in his view, their offices were simply departments of the State. Charles II., equally with Louis XIV., subscribed to the doctrine that *l'Etat c'est moi,* and he expected his servants to act in the spirit of that doctrine. There is no evidence of any reluctance on the part of the Councillors or of Parliament (enslaved by the "Articles") to accept that view. But the prelates proved restive. The King's supremacy in civil matters they would joyfully concede, but to make him supreme in the Church, as well, was too much even for men like Sharp. Yet that was what Lauderdale was resolved to do, notwithstanding his deference to the English Bishops and his suavity towards the Scottish Episcopate. As Mackenzie remarks, he had "no kindness for the prelates."

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[1] Burnet's *History,* p. 138. And to maintain his interest at Court, he did not neglect the advantages of paying an occasional visit to London. His "Household Book" of 1663-6 (*Misc. of Maitland Club,* II. p. 541) shows how he and Alexander Burnet fared in a London lodging; and we have the details of a dinner they gave to Lauderdale and Rothes. The cost of a "coatch" hire to and from Whitehall: "a paire of Oares to Lambeth": and "a chaire to and from Lauderdaille's" shows whom they called upon.

[2] *Ibid.* p. 138.

But first of all, he had to establish his authority on the Council and in Parliament on a sufficiently firm foundation. He stultified the authors of the Billeting Act by having the Act rescinded and entirely erased from the records, after a full inquiry by a Commission appointed to examine witnesses.[1] In the course of these proceedings, Lauderdale came into violent collision with Tarbat, whom he was resolved to "affront" in Parliament for the share he had taken in the billeting affair. But Tarbat countered by threatening to produce in Parliament certain incriminating letters which Lauderdale had written to the Scottish Parliament when he was President of the Committee of Both Kingdoms, and Lauderdale consequently deemed it prudent to "put a stop to that design."[2] The letters were perhaps only copies,[3] but Lauderdale was too astute to help his enemies in making capital out of his political past, or (as Charles would put it)

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[1] *Cal. of State Papers, Dom. Ser.* (1663), p. 179. Mackenzie's *Memoirs*, p. 118.

[2] Mackenzie's *Memoirs*, pp. 129-132.

[3] Like the papers relating the transactions between the Scottish Commissioners and the Parliament of England during the Civil War, by means of which his enemies hoped to effect Lauderdale's ruin (see *Lauderdale's Papers*, I. pp. 125-127).

"raking a dunghill." As a sequel to the billeting inquiry, Middleton's disgrace was complete. He was forced to resign, in January 1664, the offices of Captain-General of Scotland and Captain of the Castle of Edinburgh, which had been held by him;[1] and the latter office was conferred upon Lauderdale.[2] Middleton was sent to Tangiers as Governor, an office which apparently did little to sweeten the bitterness of exile. He died in 1673. Middleton's career showed how bad a statesman a good soldier can be. He was popular with the Cavaliers, for he was a roysterer of the approved pattern: but his misgovernment of Scotland, and especially his iniquitous methods of extortion, showed that he was completely unfit for the responsible position which he held in the State.[3]

Ecclesiastical affairs were not so easily disposed of as 'Billets.' The Bishops soon put the screw on recusants. "My Lord," said Lauderdale to the Chancellor of Scotland (who protested he was not in favour of "lordly prelates but for a limited, sober, moderate Episcopacy") " since you are for Bishops and must have them, Bishops you shall have, and higher than ever they were in Scotland, and that you will find." He was as good as his word. He knew well how prelatry was loathed in Scotland. "Bishops," says Wodrow, "generally speaking, were looked upon as the Pope's harbingers." There is evidence to show that having been overruled in his desire to maintain Presbyterianism, Lauderdale was determined to prove that the contrary policy was bound to fail. He had to bow to the King's will, but he had the means at his command for facilitating the political suicide which the King's advisers were about to commit. To acquiesce in (if not to suggest) the appointment to the highest ecclesiastical posts of bigoted, or ignorant, or ill-living Churchmen; to invest them with the outward marks of prelatry, and encourage them in advancing its most irritating pretensions; to utter no protest when the prelates and Councillors collaborated in ejecting worthy ministers from their livings, and replacing them with boors and libertines; to watch without remonstrance one turn of the screw after another in breaking the spirit of the recusant peasantry: for Lauderdale to do all this, in pursuance of the deliberate policy of giving the Bishops and their friends enough rope to hang themselves with, would seem, on the face of it, to be a venturesome suggestion. Yet such, apparently, was the fact. Judging by a letter from Sir Robert Moray, it would seem to have been the view of one whose political and private associations with Lauderdale were of the closest description. This is what Moray writes to Lauderdale on 20th September 1667:—

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[1] *Lauderdale Papers*, p. 191; Nicoll's *Diary*, p. 407.

[2] Mackenzie's *Memoirs*, p. 113.

[3] Middleton and Lauderdale were apparently reconciled by 1667, for in that year, Middleton gave Lauderdale certain incriminating papers (which were quickly burnt) bearing upon Lauderdale's accession to the delivery of Charles I. by the Scots to the English Parliament (Mackenzie's *Memoirs*, p. 49). Tarbat went into disgrace simultaneously with Middleton. He received a pardon in 1678 for his share in the "extravagant novation of billeting."

"These 7 years past, you have constantly walkt with singular tenderness in all matters both as to the State and the Church. . . . If you look back you will certainly finde the following of courses you would *never have advised and wisely forebore to curb* [italics mine] hathe been far from succeeding well: the errors thereof are now conspicuous enough to the authors." And Moray gives it as his opinion, that Lauderdale should now, "without hesitation propose, advise, and carry on whatever you judge fittest for the good of the King's service, please or displease whom it will below him.[1] All mists are now cleared up." He concludes his letter by remarking "what a silly company of people they are (the Bishops, he means) and how useful one of them (Sharp) is in managing of the rest."

Until 1667, therefore, Lauderdale was more of a spectator than a dictator. He had the satisfaction of seeing his opponents flounder helplessly in a Scottish bog. The measures they took for securing the tranquillity of the country had precisely the contrary effect. They had little trouble with civil affairs, for "all were quiet and obedient."[2] But in the sphere of religion they made one mistake after another.

The initial error, of course, was setting up Episcopacy at all before giving Presbyterianism a trial. But that error might conceivably have been retrieved by a wise application of the new ecclesiastical system. It is true that, superficially, existing organizations were not seriously disturbed. The machinery of Kirk-Sessions, Presbyteries, and Provincial Synods was set up as before; and acknowledgement was made of the General Assembly's place in the organism. Nor was there any interference with the forms of religious worship. No attempt was made in the early days of Episcopacy to introduce a Liturgy. The only changes in the ritual were the abolition of the lecture (expounding a portion of Scripture before the sermon), and the introduction of the Doxology, the Lord's Prayer, and the Apostles' Creed: and these were simply revivals of Presbyterian practice.[1] The doctrines of the Church were left practically untouched. The Westminster Confession of Faith lost its legal sanction, and the Scots Confession was restored to its former position as the doctrinal standard of the Church, but both Confessions seem to have co-existed in practice.

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[1] *Lauderdale Papers*, II. pp. 69-71. For Lauderdale's part, he cared not, so he said, "three skips of a curre tyke" what others said or did against him so long as he retained his master's favour.

[2] Burnet's *History*, p. 143.

Nominally, therefore, the organism was left undisturbed. But there was an essential difference, which no apparent concession to Scottish prejudices could remove. The Lower Courts, namely, the Kirk-Sessions, composed of clergy and laymen, and the Presbyteries (the "Exercise") composed of ministers only, were allowed full power within their limited spheres. But the Higher Courts, namely, the Diocesan Synods (formerly Provincial Synods) in which the administrative authority of the Church was vested, were completely under the control of the Bishops. For in those Synods where the Bishops presided, "none has the privilege of a vote but all come there to be censured."[2] As for the National Synod, the supreme ecclesiastical Court (the re-named General Assembly), it never met at all. When, as we shall see, it was proposed that it should meet, Lauderdale resisted the proposal for reasons which, from his point of view, were unanswerable. However, its constitution was to be such that, in essentials, it would have been a mere travesty of the sort of General Assembly to which the Presbyterian body was accustomed.

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[1] At St Andrews, in 1579, all persons who could not recite the Creed, the Lord's Prayer (both in the Book of Common Order), and the Commandments, were debarred from matrimony. The Doxology was a vexed question for some years after the Westminster Directory (which in some points is in disaccord with the First Book of Discipline) was issued, but in 1649, the General Assembly pronounced against its continued use. Was this a symptom of incipient Arianism? or a protest against "Popish practice"?

In the Haddington church, the excellent practice was observed of having the services conducted alternately by an Episcopalian and a Presbyterian minister. Haddington was Lauderdale's parish; it was no doubt his plan.

[2] Blair and Row, p. 429. When Blair died it 1666, he said on his death-bed, that the prelates were now out of the affections of "all ranks and degrees of the people, and even of some who tho' they were most active in setting them up were now beginning to lothe them for their pride, falsehood, and covetousness" (p. 127).

The Kirk-Sessions made up for the narrowness of their sphere of work by the comprehensiveness of their activities. Their records are a grim commentary on their inquisitorial methods. They show how far-reaching were their powers in the community. It would, indeed, seem as if the original aim of Scottish Protestantism—the Genevan aim—namely to make the State the complement of the Church in the enforcement of morality, had been attained in many of the Scottish parishes.[1] From the cradle to the grave, the spiritual and moral welfare of the parishioner was the prime concern of the Kirk-Sessions. With a sure hand, and when necessary, with a heavy hand, they endeavoured to keep his footsteps from falling while he was in this world, and with equal certainty, they allotted him his place in the next, where they could no longer pry into his conduct.

The controlling element in the Kirk-Sessions consisted of illiberal, ill-educated, but grimly virtuous laymen, who found no difficulty in keeping in the narrow way themselves, and made scant allowance for the temptations of weaker brothers to wander into the broad road. The minister of the manse was the pope of the parish. Yet the evidence seems to show that in some parishes, the Kirk-Sessions controlled even the ministers; at any rate, in their choice of Scripture studies, and (it should be added) in the length of their sermons.[1] No doubt the extent of the interference of the Kirk-Sessions with the private lives of the people varied in different parishes, but in extreme instances it reached almost incredible limits.[2] The "stools of repentance" and the "jougs" were in frequent use in the parish churches for penitent ill-doers; penitent, because if recalcitrant they were excommunicated, and if excommunicated they became outlaws.[3] For a logical nation like the Scots, the astonishing thing was that the very people who looked upon Bishops as "the Pope's harbingers," and whose horror of anything savouring of Roman practices influenced their whole religious outlook, should have endured for so long the most terrible engine of compulsion that the "Roman beast" ever employed for bringing her stubborn children to their knees. The inconsistency certainly gives point to Milton's sarcasm that "new Presbyter was but old Priest writ large." No less astonishing is it to find that the State, until 1690, was an accomplice in this appalling system of ecclesiastical tyranny in Scotland. It was a system which had the inevitable tendency of dividing the nation into two classes: bullies and hypocrites. Perhaps a third class should be added: the spies and informers who made it their business to pry into their neighbours' concerns. It was an unholy system which the Bishops made no attempt to alter, for in this matter, Bishops and Presbyters were tarred with the same brush.

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[1] Magistrates were requested to send offenders to prison, or bailies to put them in gyves, employers to fine or chastise their servants for using profane language; and so on.

An English observer in 1670 remarks upon the abundance of stools of repentance in the Kirks. And that notwithstanding the fact, that there might be as many as thirty sermons a week preached under one roof. (The chairs had been done away with, and it was "common to have three, four, or five Kirks under one roof.")

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[1] An hour-glass was provided for the purpose.

[2] *e.g.* Public penance for "sabbath-breaking" so construed as to include visits to a sick mother; and boys were whipped for playing on Sunday. Adultery was severely punished by the Kirk. The hunting and burning of witches was considered commendable; it occupied a large share of the business of the Kirk-Sessions. Of course the Scottish Kirk was not alone in its zeal to obey the Mosaic Law about witches.

[3] Excommunication involving the loss of civil rights, the Kirk had the power of fining, imprisoning in the church steeples, and banishing offenders; it could even mutilate them, or put them to death.

The Scottish people, therefore, were not unaccustomed to be fined for breaking the Sabbath, actively by taking a walk to the ale-house, or passively by not taking a walk to church. But these fines went to the poor, whereas the fines levied by the State went into the pockets of the statesmen, or defrayed the cost of the troops that persecuted recusants. There was now, indeed, every excuse why parishioners should refuse to go to church. For their pious ministers (truly, if austerely, pious, in spite of their narrowness) had been replaced by men whom Burnet does not hesitate to describe as "a disgrace to their orders and the sacred functions . . . the worst preachers I ever heard . . . ignorant to a reproach . . . many of them vicious . . . the dregs and refuse of northern parts"; and whom even Leighton calls "satyrs and owls."[1] The nonconformists, who were mainly Protesters, had refused to acknowledge the new order of things, which restored lay patronage and compelled incumbents to accept Episcopal ordination. Had the Bishops been given the Knoxian name of "Superintendents," it is conceivable that their authority might occasionally have been acknowledged, where as "Bishops" (hated word), it was ignored. The real objection to the latter name was its implication of "prelacy," and in the minds of the people, "prelacy and Rome" were synonyms. Had sufficient time been given to convince the people that their fears of a return of Romanism were groundless, conformity might have become more general. Above all, had the new incumbents been respectable men, and had the changes been effected gradually, reflection might have altered the standpoint of many recusants. But the Privy Council in a drunken fit of fury, issued a proclamation ordering the nonconforming ministers to leave their parishes immediately, otherwise the military would "pull them out of their pulpits." Two hundred churches were shut up in one day, and moreover, one hundred and fifty ministers were ordered out of their parishes for not obeying the Bishops' summons to their Synods.[1] And the substitutes provided for these ministers, who possessed the love and confidence of their people, were the "satyrs" for whom the most contemptuous name the populace could find was that of "curates."[2]

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[1] The author of that excellent book *The Diocese and Presbytery of Dunkeld* thinks (p. 58) the "curates" have been slandered. If so, it is by Bishops of their own Church, and there is no need to quote Presbyterians.

But the folly of the Privy Council and the Bishops did not end there. Sharp, whose mind was of the genuinely prelatic stamp, and whose ambition was to obtain precedence of the Lord Chancellor, was the real author of a scheme for the vigorous execution of the laws relating to the Church. This took the form of a High Commission Court, of which the Privy Council formed the nucleus, but which was really directed by the Episcopate. It became the fountain-head of persecution, relentlessly applied to nonconformity. "The truth is," remarks Burnet, "the whole face of the Government looked like the proceedings of an inquisition than of legal courts, and yet (he adds) Sharp was never satisfied."[1] In the West, the people had resolutely refused the ministrations of the "curates." Lists of those who absented themselves from Church were handed to the military, who enforced fines, fixed according to the supposed capacity of the delinquents, and who quartered themselves on the people until they paid. At this period, the command of the troops was in the hands of Sir James Turner, a soldier of fortune (the supposed original of Dugald Dalgetty), whose entertaining memoirs are well worth reading.[2] He acted under the orders of Alexander Burnet, Archbishop of Glasgow, a bigoted prelate, but an honest man according to his lights. Turner was a drunkard but a humorist, and his sense of humour may have saved his life when, eventually (at Dumfries), he fell into the hands of the Covenanters. He was able to prove easily enough that, severe although his measures had been, he had executed his orders with greater lenity than Sharp or Rothes liked.[3]

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[1] Burnet's *History*, p. 101.

[2] *Ibid.*, p. 144.

The outcome of these measures was the holding of conventicles, at first in houses and barns, and afterwards (for greater safety, and to suit larger congregations) on the hillsides and the moors.

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[1] *History*, p. 144.

[2] Turner is more diverting than Creighton, whose memoirs smack of swash-buckling. Turner's chief source of amusement during his enforced stay with the Covenanters was to treat them to cups of ale in the ale-houses where they rested. "I called for a cup of ale purposlie that I might hear him say grace." They prayed for Turner and tried to convert him, but he said "it would be hard to turne a Turner."

[3] Bishop Parker (*History of his own Time*, translation by T. Newlin, 1727, pp. 107-8), describes Turner as "eminent in peace and war," and a man who had "a pleasant wit and fluent eloquence." He says that Turner at first treated the Covenanters "gently and facetiously," and won some of them over "by the sweetness of his behaviour!" He states that the leader of the men who seized Turner, decamped with a good share of Turner's money, but he has the grace to admit that this man was not a Covenanter, but "some cunning rogue"—who he was or whence he came no one knew—who had joined them. A curious story. He had his information from Turner himself.

The province of Glasgow[1] was the centre of these meetings, which had been declared illegal. The people obstinately refused to recognize the "curates"; they just as obstinately clung to their "outed" pastors, and sought their ministrations in secret. Religious meeting in the open air became increasingly frequent—in Galloway, Dumfriesshire, and Ayrshire more particularly—and so well-organized was their secrecy, that the troops whose duty it was to disperse them and punish the participators, were being constantly eluded. Consequently, the Privy Council, on the 6th August 1666, made another step forward in the policy of repression. They recommended the King to make all heritors and landlords answerable for the orderliness of their servants and tenants, and for their "not withdrawing from ordinances or keeping of conventicles"; and to empower and require them to "remove" the offenders. Similarly, magistrates of burghs were to be answerable for any "burgesses and inhabitants who reside within their respective liberties for the space of six months and upwards." This was the origin of a severe order by the King, dated 1st October, and a proclamation by the Privy Council, dated 11th October, in conformity with the policy thus laid down.[2] It was the culminating act of a series of repressive measures that led to the Pentland Rising, and the fight at Rullion Green in November 1666, between the harassed peasantry and the forces of the Crown.[3]

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[1] There were two provinces in ecclesiastical Scotland—St Andrews and Glasgow, and fourteen dioceses. The Suffragans of Glasgow were the Bishops of Argyll, Galloway, and the Isles.

[2] *Hist. MSS. Commission Rep.* 3 (Webster MSS.), App. pp. 420-1.

[3] The iniquitous High Commission Court in Scotland was an engine of tyranny that would have ground the people to powder had it been permitted to continue its autocratic existence. Sharp was at the back of it, and that was sufficient to condemn it in the eyes of Lauderdale.

It was in 1667 (the year in which Lauderdale and Moray came to

The peasants, who "had few arms except scythes made straight and put on long staves," were dispersed by General Dalyell and his troops,[1] and those who were captured were punished with unpardonable severity, Rothes, on his own confession, becoming "a wearie of causing hang such traitors." "They cry," says the official account, "for the Covenant and down with the Bishops."[2] With a sure instinct, the Covenanters recognized as their persecutors, not so much the lay element of the Privy Council, as Sharp and Burnet, the representatives of the Church. Rothes and the rest of the laymen let the Bishops have their own way in ecclesiastical matters, so long as they did not meddle too much with civil affairs.

But what was the Scottish Parliament doing all this time? The truth is, that the Parliament had

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the conclusion that enough rope had been allowed in Scotland, and that the "hanging" process should commence), that further measures were being concerted by the Privy Council of Scotland for oppressing the people—and collecting fines. I give an account of what happened in the words of Kirkton—himself (it must be remembered) an "outed" minister. "About this time," he says, "Drummond went to Court and it was much suspected upon dangerous designs, and particularly to agent the Councill's design for pressing the Declaration, but Lauderdale, the Secretary, at that time had neither forgotten the principles of a Presbyterian nor a Scottish man, and because his power with the King was very great, and in a manner absolute, knowing the Council's design to be both cruel and base, he ordered the matter so that the King wrote down in answer to their letter, that they might doe well to pass the Declaration upon suspected persons, and if they refuse, he allows them to incarcerate the refuser. This was a miss, a cooling card." This letter, dated 12th March 1667, was, says Kirkton, "one of the best ever Lauderdale subscrived" (*History*, p. 259).

Imprisonment brought in money; and it was money they were after. "They wanted," says Kirkton, "to have the power to press the Declaration against any rich Presbyterian they chose and to forfault him if he refused." "This," adds Kirkton drily, "would have made them all men of gold" (*History*, p. 258).

[1] According to Bishop Parker, Dalyell and Drummond were put on the Privy Council as a reward for their services in suppressing the Pentland Rising. The same writer states that the prisoners taken "threw all the blame of their wickedness upon the preachers" (*History of his own Time*, pp. 113-4). But Parker had his information from Drummond, a tainted source.

[2] *Cal. of State Papers Dom. Ser.*, 1666-7, p. 275.

ceased temporarily to be an active force in the government of the country, having become a mere machine for registering the will of the King and his Privy Council, and turning out laws in conformity with their desires. As early as July 1663, the tendency showed itself in a marked form. A private letter to Sir Robert Moray, written by Lauderdale in Edinburgh, but signed by Rothes only, as Commissioner, instructs Moray to recommend to the King the dissolution of Parliament, and "that this Kingdome return to the good old forme of Government by his Majtie's Privie Councell." Five reasons were given for the proposed change: (1) The unfitness of Scotland for long Parliaments, because once the public business was finished, members commenced to squabble over private interests; (2) too many laws were not good for the Kingdom and the people would respect the King's authority all the more if Parliament ceased to sit; (3) the expense of living in Edinburgh was a heavy charge on the members; (4) to dissipate the alarm which some had felt under Middleton's Administration, of an intention to alter the form of government with Middleton as Viceroy; and (5) there was no danger in ending the Parliament, because the majority for the King's service was assured. The declaration repudiating the Covenant would keep out anti-Episcopalians, and the constitution of the Articles (Lauderdale's master-stroke in the interest of Charles) secured the affirmative vote for the King. "For nothing can come to the Parliament but through the Articles, and nothing can pass in the Articles but what is warranted by his Majtie, so that the king is absolute master in Parlt both of the negative and affirmative."[1]

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[1] *Lauderdale Papers,* I., pp. 172-174.

It is to be observed how Lauderdale's policy was concentrated upon the unrestrained assertion of the King's prerogative in all civil affairs. That was the first step; the assertion of the Royal Supremacy in ecclesiastical affairs was its pendant. Also, it was in 1663 that we get the first hint of a larger scheme for making the King's will prevail throughout the three Kingdoms. For in the same letter to Moray ("last July 1663") he is directed to inform the King that if his Majesty's service "in any of his dominions should require the assistance of Scotland, he may confidently promise to himself a more universall concurrence of the body of this Kingdom for maintenance of his authority either within Scotland or in any other of his dominions, where and when soever he shall command their service, then (than) any of his predecessors could have done."[1] We shall see later the sequel to this declaration. Meantime, on 10th September 1663, Lauderdale finds himself able to assure Charles that he is "ravisht" that "yow govern this poor kingdome yourself," and that "yow shall see that we know no law but obedience" to the King's will.[2]

We have now seen how during the first seven years of his Secretaryship, Lauderdale's policy was directed towards two ends: strengthening the prerogative of the Crown, and sapping the influence of his political opponents. He succeeded in achieving both objects. While the Bishops and their friends were driving the country into a state of revolt, "the Lord Lauderdale (as Burnet puts it) opposed nothing."[3] He was content to wait until they had got things into such a tangle that he would be needed to unravel the knots. That time came when, in 1667, Rothes was relieved of the Commissionership, an office which he had proved himself incompetent to fill.[1] He was consoled (for Charles "loved" this libertine) with the Chancellorship for life, in succession to Glencairn, who died in 1664. For three years, the Chancellorship was kept vacant, during which time Sharp had made ineffectual attempts to obtain it. The Chancellor ranked next in importance to the King's Commissioner, and the possession of the office would have been a valuable aid to the policy of the Church, as Bishop Burnet pointed out to Sheldon.[2] But Lauderdale had other views; and they prevailed with the King. Rothes had to be provided for, and the Chancellorship offered the most obvious means for the provision. As for the Commissionership, there was only one possible candidate, and that was Lauderdale himself. "The Keys," writes Tweeddale on 28th May 1667, in allusion to his patron's appointment, "shall hing at the right belt."[3]

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[1] *Lauderdale Papers*, I., p. 169.

[2] *Ibid.*, I., pp. 184-185.

[3] *History*, p. 143.

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[1] A study of the letters written by Rothes to Lauderdale during the Commissionership of the former shows his incompetency. (See *Lauderdale Papers*, Vol. I.) He was wedded to the iniquitous system of fining, and his main regret seems to have been the lack of money in the country. "There is bot verie litill apirous of monie, it being so exidinglie cearse in the cindum," he writes in 1664, and he complains at various times of the numbers of "baygirs" in the list of those to be fined. They were what he called "a ticklieshe pipiell to deall withe"; and he was certainly not the man for the post, though he might have done better had he managed to keep sober. He tells Lauderdale that he has been misrepresented to the King as "an inffamus drunekierd."

[2] *Lauderdale Papers*, I., p. 224 (Note).

[3] *Ibid.*, I., p. 283.

CHAPTER XVII

With the "Keys hinging at his belt," Lauderdale was now able to lock and unlock where he willed in the civil affairs of Scotland. But he had yet to find a master-key for the Church door; the ecclesiastical key on his bunch fitted the lock imperfectly. It was found by means of an Act of Parliament which was passed at the end of 1669. But the ecclesiastical ground had to be cleared for that Act. This was done by means of what became known as the "Indulgence," a scheme adopted by the Privy Council, on the King's specific authority, for re-settling nonconformist ministers who were approved by the Council. The "Indulgence," the first important measure instigated by Lauderdale since he became Commissioner, was the result of discussions with the Earls of Tweeddale and Kincardine, his agents in Scotland, subsequent to the fall of Rothes. They were both shrewd, level-headed men (particularly Kincardine), whose ecclesiastical views were anti-prelatic but not pro-Covenanting. In pursuance of Lauderdale's policy of conciliating the nonconformists, "outed" ministers during the summer of 1669 were being gradually reinstated by the Privy Council as vacancies occurred, and without Episcopal sanction.[1] If one side had to be conciliated, the other side, surely, had to be placated.

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[1] *Lauderdale Papers*, II. p. 175. The Indulgence was delayed for a year in consequence of the attempt upon Sharp's life in 1668. In

But, in effect, the Indulgence was a censure of the Scottish Bishops; and they were now deliberately ignored. This policy necessarily made serious inroads upon their authority. It was framed for that end, and they knew it. They knew, too, who was its author; and they knew he was one who disliked them as prelates, and despised them as men. Of the two Archbishops, Glasgow acted less ignobly in this crisis than St Andrews. Sharp quibbled but acquiesced; Burnet remonstrated and resigned, after the Act of Supremacy had been passed. Lauderdale had decided to get rid of him, for he was as stubborn as he was narrow-minded, whereas Sharp was as pliant as he was cunning. Burnet provided the opportunity for his own dismissal (for he was pressed to resign) by drawing up, in the name of the Synod of Glasgow, a remonstrance which gave great offence to the King and to Lauderdale. This "damned paper," as Sir Robert Moray called it, was worded moderately enough, but its tone was unacceptable to men who were about to tell the Bishops (in effect) that they were the King's lackeys.[1] Burnet resigned in December 1669,

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that year (according to Moray), the clergy lost "ther interest mor and more," and fell "lower in the esteem of all persons." (*Laud. Papers*, II. p. 113).

Kirkton (p. 266) writes favourably about the moderation of Sir Robert Moray and the Earl of Tweeddale "under the influence and directions of Secretary Lauderdale."

[1] Lauderdale called the Remonstrance "the insolent impertinent Glasgow paper." He adds, "it seems they will be remonstrators by what name or title soever they are distinguisht." (*Laud. Papers*, II. p. 141).

A Commission was appointed to adjust the settlement of ministers to parochial requirements, but Tweeddale, in August 1669, recommends Lauderdale to let the commission "sleep a littel" until the effects of the Indulgence already granted were made apparent, and until the Bishops had been given an opportunity of purging the Church of its and was succeeded by Robert Leighton, Bishop of Dumblane, who was formally installed as Archbishop of Glasgow in 1671 after acting as Commendator. Leighton was the necessary fruit of the Indulgence. What manner of man was he? "The saintly Leighton" epitomizes the verdict of history on his character as a man; "the Bishop who failed" just as fitly summarizes his career as a prelate.

The breadth of his ecclesiastical views, the Catholicity of his religious conceptions, and above all, the spirituality of his outlook on life, marked him as a man apart. No greater contrast could be offered than the character of Leighton and that of Sharp; or that of a typical Presbyterian Protester; or (it may be added), that of his own brother, Sir Elisha. He was popular neither with the prelates, nor with the Presbyterian preachers, for he stood outside the narrow orbit of both. "Ye peevish humor of a melancholy monk," so he writes of himself; and in truth, Leighton's is a monastic figure in the sense that he was more fitted for the serenity of the cloisters than for the strife of ecclesiastical Courts. His training on the Continent—he favoured the Jansenists though, by some Presbyterians, he was regarded as a "Jesuit"—coloured his theological views and certainly broadened his mind. The eldest son of one of the most notable victims of the Star Chamber, Leighton inherited a love of liberty and toleration. He failed to find it in the Scottish Presbyterian Church, of which he was for some years a minister. He became an Episcopalian; and when Episcopacy was set up in Scotland, he was persuaded against

"owls and satyrs." Both parties smelt Erastianism in the Indulgence, and "the commons, they say, call it Rogischly Rascalisme." (*Laud. Papers*, II. pp. 196-7).

his will to accept Dumblane, the smallest see in Scotland. He was the only member of the Episcopate in Scotland who shed lustre on his office. Had all the Bishops been like Leighton, men of piety and learning, and eloquence, and above all, men of broad views, it is certain that the scandalous policy of the Episcopate towards the nonconforming peasantry would never have been inaugurated.[1] It can be imagined with what feelings a saint like Leighton was the unwilling agent in a system of terrorism which employed men like Turner, Ballantyne, Drummond, and Dalyell, to harry the unfortunate people of the West: Turner a drunkard, but "a saint to Ballantyne" (whom Lauderdale laid by the heels[2]); Tom Dalyell, the "Muscovian beast," whose favourite formula for settling troubles in the West was "extirpation"; and Drummond, who in September 1667, found it necessary to ask Lauderdale to intercede with the King for himself and his fellow-persecutors, for they were "under a cloud." What fellowship had a man like Leighton with rough soldiers like these? Yet his predecessor at Glasgow had written letters that incited such men "to all severity,"[3] and had even expressed approval of Dalyell's views on extermination. The choice of men and measures had in the past been equally bad; new men and new measures were clearly necessary for the safety of the country. Lauderdale's new policy was epitomized in a letter written by him to Sharp on 2nd September 1667, in which he said: "I have noe end but the King's service, his honor and greatness, and the peace of the Church and Kingdome with the maintenance of Episcopall Government."[1] And, writing from Edinburgh on 7th September 1667, Sir Robert Moray tells Lauderdale that the policy about to be adopted "is the sure way to settle and secure Episcopacy, which the courses hitherto taken have been so far from establishing that they had almost unhinged the State."[2]

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[1] It is not certain, however, that the country would have accepted Episcopacy even had the Bishops been godly men. The people, says Law (*Memorialls*, p. 32), "were not so much against the persons as against the office of Bishops."

[2] Ballantyne was imprisoned and banished. In revenge, he seems to have made an attempt on Lauderdale's life. "God be thanked," writes Lady Margaret Kennedy, "my Lord Lauderdale is well and Sir W. Bellenden laid fast, who thought to have murdered him" (*Letters, Bann. Club*, Vol. 24, p. 69).

[3] *Laud. Papers*, II. p. 83.

There was therefore no intention, by means of the Assertory Act which was passed in November 1669, to abolish Episcopacy, but on the contrary, to provide it with a firmer foundation, by cementing it with Presbyterian goodwill. It made Charles "Sovereigne in the Church" and it gave Lauderdale as complete a dominion over the prelates as he had over Parliament; for he was now, in effect, "the uncrowned King of Scotland." The intolerant Burnet was gone, and Sharp's powers for mischief were very considerably curtailed. He was useful—Lauderdale once declared that he "knew how to make use of a knave (meaning Sharp) as another"—and Lauderdale meant to use him.[3]

When Sharp was confronted with the decision about the proposed Assertory Act, "he said he acquiest," writes Lauderdale to the King, "but I found the old spirit of Presbytery still remaine with some of the Bishops, (soe unwilling are Churchmen, by what name or title soever they are dignified, to part with power)."[4] And Lauderdale was soon to find that opposition to the King's supremacy was to come, not only from the Bishops, but from the Presbyterian ministers, in whom "the old spirit of Presbytery," as directed against anything savouring of Erastianism, was as strong as ever. But, with the Scottish Episcopate in his pocket, and the opposition of the English Bishops deprived of its political force by the fall of Clarendon, Lauderdale felt safe in embarking upon his great experiment of forcing upon Scotland submission to the King's will, and securing ecclesiastical and civil peace, by means of an "accommodation" between the warring parties in the Church.

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[1] *Laud. Papers,* II. App. p. 48.

[2] *Ibid,* II. p. 50.

[3] In 1665 Kincardine and Sharp had a lively passage of arms, the layman accusing the Archbishop of plotting against him (*Laud. Papers,* I. pp. 228-233).

[4] *Lauderdale Papers,* II. p. 163.

He was now at the height of his popularity in Scotland. That he was regarded in his native country at this time as its chief ornament in the world of politics, there can be no question. During the seven years when he was waiting for the collapse of the prelates' policy, he had to steer a wary course in the reef-strewn seas of ecclesiastical polemics. "In public," says Sir George Mackenzie, "he cajol'd the Episcopal party, whilst in Parliament he favour'd and encourag'd the Presbyterians."[1] When the failure of the repressive policy was made clear, Rothes took all the pains he could —so Lady Margaret Kennedy wrote—to "lay the obloquy off himself on Lauderdale" . . . he makes "Lauderdale very hated," so that "I would very much doubt his safety in Scotland."[2] There could be no doubt at all about his safety in Scotland when, in October 1669, he paid his first official visit to Edinburgh as the King's Commissioner. His journey from London was like a Royal progress, and his reception in Edinburgh could scarcely have been more demonstrative had Charles himself been the recipient.[1] "Many of his countrymen went with him to Stevenage" (the London Scots were always remarkable for their patriotic fervour); he was entertained by the Bishop of Durham in Durham Castle, "where many Scottish nobles met him"; and at further stages of his journey, he was met by "numerous other nobles and troops." His own regiment—the Edinburghshire—met him at Musselburgh. Another report by a man who travelled in the Commissioner's company tells us that Lauderdale "was received in many places with ringing of bells and music"; that he was met at various places by members of the Scottish nobility with numerous troops, and the militia in the several counties. As he approached Edinburgh, guns were fired; the city troops and 400 citizens, with the Provost and magistrates met him; and he entered the City with the Chancellor and the Duke of Hamilton on each side of him. On reaching Holyrood, he called a Council, received his commission from the Chancellor, "and gave supper to most of the nobles about him, where nothing was wanting that Brittane could affourd." This observer sums up his impressions by saying: "he has been more numerously received than any previous Commissioner, the crowds of people being very great and expressing much satisfaction."[2]

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[1] *Memoirs*, p. 132.

[2] *Letters* (*Bann. Club*, Vol. XXIV., p. 60).

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[1] According to an English visitor in Scotland in 1670, the Scots expected that after the repairs to Holyrood had been completed, the King would leave his "rotten house at Whitehall," and live "splendidly" among them. They considered that Englishmen were much beholden to them for providing them with a Scots King. (*Harl. Misc.* VI., p. 139.)

[2] *Cal. of State Papers Dom. Ser.* (Oct. 1668-Dec. 1669), pp. 527-528. What reception would Charles himself have received in Scotland? But he had no wish ever to see Scotland again, or the "uncivilised" people of Scotland, where he had been "furiously bored." "I had rather have been hanged," he declared after Worcester, than return to Scotland. Lauderdale and Moray, his Scottish friends, had presumably been "civilized" in England.

And not in Scotland only was his triumph celebrated, for his friends in England were equally appreciative of his successful statecraft. "I scarse meet," writes Moray in December 1669, "with anybody but talks of you with the highest Elogies they can devise, each in his peculiar Rhetorick, and many of them to swear to it heartily, and diverse wish you here for serving the King and doing good offices."[1] Under Lauderdale's guidance, the Scottish Parliament which met in October 1669, was certainly bent upon "doing good offices" to the King. The Act of Supremacy placed the prelates in a position of dependence upon the Crown, which went far beyond that imposed by the Oath of Allegiance for their temporalities. But some consolation was offered to them by legislation designed to prevent "rabbling the curates" (by making parishes responsible for such offences), and to secure Bishops' duties, and ministers' stipends.[2] Lauderdale's speech to the Estates affirmed the King's determination to uphold the Episcopal Church, repress conventicles, and bring their leaders to punishment. Also, he announced his intention to devise measures for bringing about a closer union between England and Scotland, as being alone able to settle the contested points about trade and other international matters.[3]

Union between England and Scotland, a measure of capital importance which, Lauderdale stated, would be urged forward by the King in the English Parliament, had been under discussion at least as far back as September 1668, when Lauderdale seems to have favoured it as a means of promoting Scottish trade.[1] It will be useful here to examine Lauderdale's attitude on the relations between the two countries, and to see where he stood in English politics.

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[1] *Lauderdale Papers,* II., p. 168.

[2] Mackenzie's *Memoirs,* p. 163. The Presbyterians, says Mackenzie, thought it was "pleasing in the sight of God" to ill-treat the "curates."

[3] *Cal. of State Papers Dom. Ser.,* Oct. 1668 to Dec. 1669, p. 538.

Broadly speaking, his view seems to have been that, as a general principle, it was improper for the statesmen of either country to interfere with the domestic affairs of their neighbours. Until he became an English peer, Lauderdale was careful not to take sides openly in English politics, though his predilections were well known. And on divers occasions, he showed quite clearly that as long as he was responsible for the direction of Scottish policy, he would permit no dictation by English statesmen. All the public men of Scotland of that time were excessively jealous of English interference in their concerns. They were resentful of any action which implied domination by the greater over the lesser country; and they were even distrustful of the English "bringing gifts." Lauderdale fully shared with the rest of his countrymen these views which, by the Scots, were regarded as patriotic, and by the English as provincial.

But if Lauderdale studiously refrained from associating himself openly with any English political party, he worked nevertheless in secret to attain certain ends that had only an indirect bearing upon Scotland. There is evidence, for example, to show that he was one of the prime agents in the fall of Clarendon. The Chancellor was a personal enemy of his own, and was no friend of the Scottish nation. His removal would benefit both Lauderdale and

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[1] *Lauderdale Papers*, II., p. 119. Lauderdale always kept an eye on the economic interests of Scotland. In 1666 he supported the Irish Cattle Bill (prohibiting the importation of Irish cattle into England) in order to obtain a better market for Scottish cattle.

Scotland; therefore Lauderdale worked for it. As early as 1664, we find Ruvigny, the French Ambassador, reporting that Clarendon had consulted Ormonde how to meet "the cabal of Lord Lauderdale, which has swindled him out of knowledge of all the affairs of the Kingdom."[1] Ruvigny goes on to say that Lauderdale is "united with Ashley, Lord Roberts, and some others, who spare no pains to ruin Clarendon in the free convivial entertainments, which are of daily occurrence."[2] When the war with Holland broke out, Lauderdale (according to Gilbert Burnet) was very glad, for he hoped it would "ruin Clarendon," who, he believed, did not understand foreign affairs. In order that he might have "secret advices" to give the King, Lauderdale sent to Holland for a Scottish physician named MacDonald, who had a good practice there, and "promised him greate matters."[3] So Lauderdale shares with Barbara Villiers the odium, if odium there be, of getting rid of the "honest Hyde." But Charles was glad to have any valid excuse to break with his tiresome tutor, who, whatever his faults, taught his Royal pupil more wholesome, if less palatable, politics than his early preceptor, Newcastle.[4]

The fall of Clarendon contributed beyond doubt to Lauderdale's rapid rise. He became not merely the "King of Scotland" (as he was sometimes named), but an indispensable councillor in the affairs of Great Britain and Ireland. Lauderdale thought he understood foreign politics, if Clarendon's knowledge did not extend so far. And Charles was obviously of the same opinion, for when, after Clarendon's fall, the notorious Cabal was formed, Lauderdale was made a member. When negotiations between Charles and Louis XIV. were in progress for the "sale of England" to France, Lauderdale was the confidant of Charles. And yet the confidence was not entire, for there were matters in the secret Treaty of Dover in 1670, pertaining to religion, which could not be disclosed to so sturdy a Protestant. This Treaty was signed by Colbert for France, and by Arlington, Arundel, Clifford, and Bellings, on behalf of England. The clause which provided that Charles should declare himself a Roman Catholic could not be revealed to Ashley, Buckingham, or Lauderdale, the three members of the Cabal who stood for the Protestant interest. But they were not opposed to an agreement between England and France. Unaware of the Dover Treaty of 1st June, Buckingham interviewed Colbert in July, and urged the necessity of a treaty between the two countries. Colbert pressed him for proposals. Buckingham went to Arlington and suggested a conference with Ashley and Lauderdale; and on the following day, the conference took place accordingly. Buckingham proposed an alliance with France, and was supported by Lauderdale. Buckingham then took Arlington aside and suggested the appointment of himself as a fit negotiator at the French Court. This proposal was afterwards made by Buckingham to Ashley, but not to Lauderdale.[1]

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[1] *Life of Shaftesbury*, by W. D. Christie, I. p. 273.

[2] *Ibid.* I. p. 273.

[3] *Supplement to Burnet's History*, p. 98.

[4] Newcastle recommended Charles to play "goffe" in winter and to play at making war as an occasional pastime. "I should humbly advise Your Majestie to have a warre with one of these greate kinges," first (for choice) with France and then with Spain.

Charles and Arlington, entrenched behind the secret treaty, made through the medium of "madame," the "dear dear sister" of the King, believed that in order to secure the support of Ashley and Lauderdale, it would be well to amuse Buckingham by giving their approval of his proposal to negotiate a mock treaty with France. Louis XIV., encouraged by Colbert, entered into the spirit of the amusement, and flattered Buckingham with his attentions in Paris. He begged Buckingham to endeavour to persuade Charles to become his ally against Holland, and hinted that the command of the auxiliary English troops to be employed might be given to Buckingham himself. One of the delusions of that remarkable rake was that he had a genius for military affairs. He felt hurt when Charles denied him the command of the Royalist Army at Worcester, and was correspondingly gratified when he was selected by Louis as the prospective General of the English mercenaries in the service of France. And his gratification was increased by the pension of £400 which Louis granted to his vile paramour, the Countess of Shrewsbury.

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[1] Christie, II. p. 22. Christie's narrative of the Treaty of Dover is chiefly drawn from M. Mignet's material, compiled mainly from the papers of the French Foreign Office.

The secret treaty of Dover provided for the payment by Louis to Charles of two million livres, in consideration of his declaring himself a Roman Catholic; as well as an annual subsidy of three million livres as long as the war, which was to be jointly undertaken against Holland, continued. Also, military aid was to be given by Louis to suppress any disturbances in England consequent upon the avowal by Charles of his conversion to the Roman Catholic faith. But the first instalment of money could not be paid without the knowledge of the members of the Cabal, and in order to disarm the hostility of Ashley, Buckingham, and Lauderdale, it was necessary to expedite the mock treaty. On 31st December 1670, it was signed by Colbert for France and by all the members of the Cabal for England.[1] Payment of the two million livres was represented as an additional subsidy to Charles for undertaking the war against Holland, and there was not a word about French aid to put down rebellion in England. Thus were the Protestant members of the Cabal duped into the belief that they had signed a treaty which implied no further consequences than an alliance between England and France, directed against Holland. But Charles was compelled by Louis to drink the cup of degradation to the dregs. He had to sign a declaration that the two million livres were really given in consideration of his profession of Roman Catholicism, as provided for in the secret treaty of 1st June. The man who was chasing a moth in Miss Stewart's rooms when the Dutch fleet was sailing up the Medway, in 1667, was not the man to refuse to sell his honour for money in 1670. His industry, normally dormant, was only stimulated by his two favourite pursuits: the pursuit of chemistry and the pursuit of women; and for one of these, money in abundance was necessary, which could only be obtained at the expense of his honour. Feminine allurements were the ruin of Charles, for he could never resist a pretty woman. When the unfortunate Portuguese princess who became his wife arrived in England, Charles thought they had sent him "a bat instead of a woman"; and as for the German princesses whose charms were submitted for his approval, he found them all "foggy," and would have none of them. Louis knew his weakness, and in "Madame Carwell" (as the English called the new French mistress), the King of France found a willing and seductive tool to further his political plans. But whether English or French, the mistresses of Charles were rapaciously expensive, and if the House of Commons would not find money for his pleasures, rather than forgo them, he would pay the price demanded by Louis for doing his bidding. It was an unpleasant alternative, even for Charles: but "Od's fish!" it had to be done.

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[1] Christie, II. p. 26.

Such, then, was the penalty that had to be paid by countries where the conception of foreign policy (held equally by Louis and Charles) was personal and not national. According to the prevailing view, foreign politics were the concern, not of Parliaments but of Kings. It was for Kings, as the embodiment of the State, to negotiate treaties, and to make wars; it was for their people to pay the cost of the wars. The Hobbesianism of Lauderdale, untempered by the later and more liberal political philosophy of Locke, was, up to a point, in accord with the standpoint of Louis and Charles. He was ready, as a member of a Cabinet responsible to the King alone, to give his support to a foreign policy initiated by the King, unless there was a violent divorce between the interests of the King and the welfare of the nation. But in Lauderdale's view, a Roman Catholic King of Great Britain and Ireland would be detrimental to the welfare of Great Britain, and although Lauderdale once declared that the will of Charles was his law, there was a limit to his obedience: and the limit, as Charles knew, would have been reached if he had been made a party to the Treaty of Dover. It is difficult to see how Lauderdale, Ashley, or Buckingham can be held responsible for a treaty of whose existence they were unaware. They were tricked into negotiating the sham treaty; but, however unwise that treaty may have been, there was nothing in it which needed imperatively to be concealed from the country. The substance of the latter treaty, as we shall see, was made public in 1672.

It will be seen that Lauderdale's connexion with English politics was far from being negligible in the foreign sphere. But in the domain of domestic politics, his interests were almost entirely Scottish. These interests were sufficiently multifarious to occupy the whole of his time, and his amazing industry is shown by his complete grasp of everything pertaining to the Secretaryship of Scotland, while simultaneously he was one of the most active members of the Cabal.[1] One of the most difficult problems to solve was the reconciliation of the trade interests of Scotland with the English Acts that discriminated against the poorer country; and to remove the causes of the trade jealousies that hampered Scotland from struggling to her economic feet.

The Act of Navigation, which was passed in 1660, was informed with the spirit of English exclusiveness. As a measure of protection for English trade and commerce, it was useful and probably necessary. It provided that, subject to certain exceptions, no goods might be imported into England or its dependencies in any other than

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[1] It is perhaps unnecessary to say that the word "Cabal" was in common use before the cabinet with which the word is usually associated, was formed. It was a mere coincidence that the initials of the names of the members of this cabinet formed the word "Cabal." The pleasantry discoverable in the coincidence, is attributed to Sir William Temple.

Lauderdale's activity is shown by his appointments. At various times he served on Committees, the composition of which called for business acumen and administrative skill.

English bottoms. Directed mainly against the threatening commercial supremacy of Holland, it bore hardly upon the Scottish trade. It was one of the first matters to engage Lauderdale's attention after he had been appointed Secretary for Scotland. A Scottish petition was presented to the Privy Council of England in August 1661, praying for exemption from the trade disabilities imposed by the Act. A Committee was formed to consider the petition, and Lauderdale was appointed a member. The Commissioners of Customs submitted a report to the Committee, which was wholly unfavourable to the Scottish claims. If the Scots were permitted to trade with the English plantations, it would "bring infinite loss to his Majestie and as much prejudice to the English subject." It was feared that the Scots might serve "forraigne parts," and make Scotland the "magazine." They might give bonds not to do so, but their bonds were worth little "if once gonn." They were "forraigners to this nation, being not under our laws and government." Besides all this, an Act of Parliament would be necessary to give the Scots the liberty of trading, so they were referred for redress to Parliament.[1]

That is one instance of the state of the commercial relations between the two countries, and Lauderdale was powerless to improve them. In 1668 he was a member of the Committee for the Business of Trade (which included Scotland in its scope), and in 1679, he is found on a Committee of Trade and Plantations. So it is clear that his interest in trading matters was not superficial.

In the Scottish Parliament of 1669, economic questions received particular attention. There was a tariff war between England and Scotland, and, as we have seen, the Scots were jealously excluded from the colonial trade of their relatively wealthy neighbours. With the view of compelling England to come to terms, the Scots imposed a duty of 60 per cent. on English cloth and other manufactures.[1] What made matters politically and economically worse, an Act introduced in the Scottish Parliament of 1669, just before Parliament rose, and "passed in a trice without any opposition," empowered the King "to impose upon or restrain" all trade with foreigners as he pleased. This was another step in Lauderdale's policy of concentrating all power in the hands of the King. It can scarcely be believed that so astute a politician could have failed to foresee the effect of this Act. It created additional monopolies, and these monopolies were dexterously used as rewards for supporting the prerogatives of the Crown.[2]

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[1] Acts of the Privy Council of England (Colonial Series), I. pp. 318-20.

Nothing but Parliamentary Union between England and Scotland could place the economic relations between the two countries upon a satisfactory footing, and nothing (one would suppose) but Union could protect the Scottish people from impositions placed upon them by their own Parliament, tied hand and foot as it was, by the combined tyranny of the Articles and the Royal prerogative. Can it be supposed, therefore, that Lauderdale was a sincere advocate of Union? The question is not altogether easy to answer. He saw clearly enough that Scottish trade would benefit vastly from Union, and from that standpoint, his sympathy with the project cannot be in doubt. But if the effect of Union was to undo his own work of placing the prerogative upon an unassailable basis, how could he be expected to regard it with favour? On 16th November 1669, he wrote Charles: "never was King soe absolute as you are in poor old Scotland."[1] Surely a Scottish Parliament, unshackled from its fetters by Union with England, would be the worst thing in the world for the permanency of that absolutism. Clearly it would be either the worst or the best thing in the world for the Cæsarism of Charles.

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[1] Mackenzie's *Memoirs*, p. 133.

[2] One of these monopolies was salt, which was in the hands of the Earl of Kincardine. When, in the Parliament of 1669, an Act was introduced, taxing foreign salt, it encountered strong opposition, owing to its ill effects on the fishing industry of the country. It was passed only by the casting vote of the Chancellor (Rothes). Sir George Mackenzie of Rosehaugh, who was making a name for himself as a politician, was its most destructive opponent. By his opposition, he earned the ill-will of Lauderdale, who called him a "factious young man." Lauderdale threatened the House, that if the Act were not passed, he would, by virtue of the King's prerogative, "pepper" the fishing industry with impositions (Mackenzie's *Memoirs*, pp. 167-171).

It was not so clear which it would prove to be. Why, above all others, should Charles himself favour Union, as undoubtedly he did, if its probable effect was to shatter his dream of ruling his dominions untrammelled by Parliamentary control? The only answer that seems satisfactory is, that both Charles and Lauderdale saw in Union the command of a solid body of Scottish votes as a reward for the trading and other privileges that would be granted to Scotland. In the relations which existed between Charles and the English Parliament, to have the Scottish members of the United Parliament in his pocket, would be a triumph for the King of the first magnitude.

It is true that the Scottish Parliament was now showing some spirit in resenting the dictatorship of Lauderdale. But it was a body that lacked community of purpose. It was interested only in class legislation,[1] which means that it had ceased to be a truly national assembly. The Churchmen were in Parliament to foster the interests of the Church; the nobles and gentry to prevent the curtailment of their privileges; and the Burghs to watch over trade interests, especially those nearest home. Thus a skilful diplomatist like Lauderdale was able to play off one class against the other, and so secure his votes. He had acquired so complete an ascendancy over the House, not so much by persuasiveness as by sheer terrorism, that he had brought himself to believe, in all probability, that he could do exactly what he liked with the members. Therefore, it is not unreasonable to think that he may have been a sincere advocate of the Union, in the belief that he had the power to tie up the Scottish members in a bundle, and hand them over to his Royal master as a gift. It is true that by so doing, he would cease to be "King of Scotland," but his native country was now too small a sphere for the full attainment of his ambitions. Better, he may have argued, to serve the King in England than to reign as King in Scotland.

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[1] *Lauderdale Papers*, II. p. 164.

His standpoint during the negotiations for Union seems to support the suggestion in the text. He pressed Union, says Burnet "vehemently." On the Scottish side, the burden of the conferences lay upon his shoulders. The decision finally reached in October 1670 by the Scottish Commissioners for Union, and submitted by Lauderdale on their behalf at a joint meeting of both sets of Commissioners, was that the two Parliaments should become one, and that there should be no exclusion of sitting members.[1] The English Commissioners required time to think out this proposal and all that it implied. Probably the more they pondered over it, the less they liked it, and we cannot be surprised that the whole project was dropped. Charles announced its postponement until a more favourable season;[2] he was too busy with "other weighty matter" (the French Alliance) to give his attention to so complicated a subject. "So," says Sir George Mackenzie, "it stopt rather to the wonder than the dissatisfaction of both nations." Union, was in fact, not popular in either country. The memories of the occupation of Scotland by Cromwell's forces had not yet faded from the Scottish mind. For these soldiers were regarded by the Scots (says Mackenzie) not as "rebels," but as "Englishes." They knew "the nation but not the quarrel." They were morbidly afraid that Union implied the extinction of Scotland as an independent Kingdom.[3] When the negotiations finally broke down, Lauderdale was severely blamed for not sounding the other side on the Scottish proposals, and agreeing in private upon principles, before allowing the Commissioners to declare formally their final decision. "Alas!" laments Lauderdale to Moray, "shall I never be trusted?"[4] The delay that occurred in the negotiations was another contributing factor in their final abandonment. "Business with us," wrote Sir Alexander Fraser to Arlington, "is best done when least deliberated": a surprising statement for a "canny" Scot to make! "Neither at this time" (1670), says Law, "the Englishes nor the Scots generally were pleased with the overture of the Union." If neither nation wanted it, there was an end of the matter.

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[1] Mackenzie's *Memoirs*, p. 171.

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[1] Mackenzie's *Memoirs*, pp. 208-9.

Lauderdale's proposal was that Union should be accomplished "by uniting the entire Parliament of Scotland to that of England." (*Cal. of State Papers, Dom. Ser.* 1670, p. 510.)

[2] Mackenzie's *Memoirs*, p. 211.

[3] Besides these general objections, the trade disabilities mentioned in the text rankled in the Scottish mind. In a letter to Moray (November 1669) Lauderdale makes special allusion to "the ruine of our trade by the pressure of some Acts these 9 years past" which had given the Scots "jealousie" of anything with England (*Lauderdale Papers*, II. p. 157).

[4] In Mr Lang's biography of Sir George Mackenzie, it is stated (p. 91) that in a private letter, Lauderdale confessed his aversion to Union. I do not know what letter this can be. I have not seen it.

Another measure passed by the dictatorship of Lauderdale in the remarkable Parliament of 1669-1670, was the Militia Act. This Act, misunderstood in England by contemporary politicians, and misrepresented by modern historians, played an important part in the odium incurred by Lauderdale in the later years of his life. Among the wild stories which attained currency during the "Papist" scare in England, was one to the effect that Lauderdale had raised 24,000 men in Scotland, "to enslave both Kingdoms and to destroy the Protestant religion." And in Shaftesbury's celebrated speech in the House of Lords in 1679, he did not scruple to play upon those fears by his allusion to the 22,000 (a more correct figure than 24,000) Scots "ready to invade us on all occasions."[1] What were the facts?

The facts are stated by Lauderdale himself in a letter to the King dated 16th November 1669 (the date of the Act). "But, by the way, they say the Militia Act gives jealousy in England becaus it is declared you may command them to any of your Dominions. Alas! that is no new clause in this Act: it was *verbatim* in the Act six years agoe. This only ascertains and regulats the Militia . . . If you command it, not only this

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[1] See Chap. XXIV.

Militia, but all the sensible men in Scotland shall march when and where you shall be pleased to command." In a previous letter (13th November) Lauderdale had declared to Moray that "the King is now master heir in all causes and over all persons." In a still earlier letter to Charles (12th October) Lauderdale, reporting on the militia, wrote: "those six regiments you may depend on to be ready to march when and whither you please."[1]

The Act, as Lauderdale declared, was passed in order to "ascertain and regulat" the militia force of 20,000 foot and 2000 horse which had been created, not on Lauderdale's initiative, but on that of his predecessors, to whose general policy he was opposed. Lauderdale had opposed in 1667 the continuance of a standing army: and his opposition, in Wodrow's view, was "happy for the nation."[2]

Sir George Mackenzie states that the wording of the offer to the King, namely, 22,000 men to serve him "in any part of Scotland, England or Ireland," gave great offence in England; which is quite intelligible. But the blame attaches to Rothes's misguided loyalty—or servility—in 1663, when the original Act (there is no proof that it was inspired by Lauderdale) offering Charles "20,000 footmen and 2000 horse" was passed. Lauderdale's Act of 1669 merely regulated their pay, and other matters of detail.[3] He boasted to the King of what he had done, but with his native shrewdness, Charles probably assessed the service at its true value. It was a phantom army for the invasion of England: it never materialized; if it had materialized, it would never have marched.[1]

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[1] *Lauderdale Papers*, II., pp. 140, 158, and 164.

[2] *Wodrow*, II., p. 81.

[3] The Act of 1669 (*Acts of Parliament, Scotland*, VII., pp. 554-555) followed on an Act (the 25th) of the last session of the previous Parliament, and the latter followed *verbatim* the Act of 23rd September 1663 (*Acts of Parliament, Scotland*, VII., pp. 480-481). The title of the latter Act "*A humble tender to his Sacred Majestie of the duetie and loyaltie of his antient Kingdome of Scotland*," illustrates its spirit.

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[1] Late in 1678, the Privy Council of Scotland was ordered to call out 5,000 foot and 500 horse, *i.e.*, a quarter of the total authorised forces. Elaborate directions were given about equipment, training, pay, and other matters. A special military oath had to be taken by these 5,500 men, in addition to the oath of allegiance and supremacy. This form of oath (which was imposed individually and not collectively) had to be taken, also, by the standing forces of the country, which consisted in 1679 of two regiments of foot, each of 1,000 men, four troops of horse, and three companies of dragoons.

The country was not to be put to any greater expense by the embodiment of this "New Model"; and it is shown how this had to be done. The rendezvous of the rest of the militia, for two or three days every year, was to be continued. (*Cal. of State Papers Dom. Ser.*, 1678, pp. 484-485 and 568).

CHAPTER XVIII

"At this time," writes Burnet (meaning, apparently, about 1670), "a great change happened in the course of the Earl of Lauderdale's life, which made the latter part of it very different from what the former had been."[1] That is a sufficiently definite statement, marking off, in Burnet's view, the old Lauderdale from the new. As he has nothing good to say of the later Lauderdale, it may be assumed that it was because (unlike some modern historians), he found him "a changed man." He has no hesitation in assigning the reason for this change: *cherchez la femme.*

The "woman in the case" was a grand-daughter of the manse: Elizabeth, eldest daughter of Will Murray, the man of mystery. As we have seen, Murray was the son of the minister of Dysart, in Fifeshire. It will be remembered that after commencing life as page and whipping-boy to Charles I., he was by that King created for his later and varied services, first Earl of Dysart. On his death, his eldest daughter and heiress became Countess of Dysart in her own right. Her first husband was Sir Lionel Tollemache of Helmingham in Suffolk, who died in 1669.[2] She was a remarkable woman; "a woman," says Burnet, "of great beauty, but of far greater parts. She had a wonderful quickness of apprehension and an amazing vivacity in conversation. She had studied not only divinity and history, but mathematics and philosophy. She had a restless ambition, lived at a vast expense, and was ravenously covetous; and would have stuck at nothing by which she might compass her ends."[1]

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[1] *History,* p. 164.

[2] He was the third baronet of that name.

Not a "nice" woman, one would be inclined to say, from this description. But it must be remembered that Burnet, who, in his impressionable days, had been thrown into a "deep extasie" by her appearance, was her bitter enemy in later life. Yet, in the main, his description of her character seems to have been substantially accurate, for it is borne out by those of his contemporaries who have written about Elizabeth Murray.

One would expect a woman of her beauty and parts to make a figure in history. In her younger days, she had not the same opportunities as she had later in life, for a display of her brilliancy; and when the later opportunities came, her charms were rather mature to be fully appreciated at the Court of Charles II. Her relations with Oliver Cromwell gave occasion for a good deal of malicious gossip. Beyond doubt, Cromwell was an ardent admirer of this beautiful and brilliant woman. Burnet writes of her "intrigues" with Cromwell,[2] "whose acquaintance with the gay Lady Dysart," says Noble, "gave such offence to the godly that he was obliged to decline his visits to her."[3] Undue importance should not be attached to this gossip, which the political enemies of Oliver were only too willing to believe. But that the Countess of Dysart possessed considerable influence over Cromwell appears to be a well-established fact. When the Protector was at the height of his power, the Countess seems to have been employed by Charles II. to work, in his interests, upon the feelings of Cromwell; she is described as "a Lady of considerable spirit and policy."[1] Also, she seems to have played a considerable part in the restoration movement set on foot during Cromwell's lifetime. Oliver's wife was favourable to the Restoration, "and for this purpose listened to the proposal of Lady Dysart (afterwards Duchess of Lauderdale) for restoring the exiled King, and promised to break it to his Highness, which she did one morning before he rose."[2]

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[1] *History*, p. 165. [2] *Ibid.*, p. 165.

[3] *Memoirs of the Cromwell Family*, vol. 1, Note, p. 127.

"His Highness" did not restore Charles, in spite of Lady Dysart's intervention, but he spared the life of Lauderdale after Worcester, in deference to her intervention on his behalf. At least, so she told Lauderdale when he was a prisoner, and as we know that Oliver's animosity towards Lauderdale was marked, her influence may very well have been exerted to save the Earl, after his capture, from the fate of Hamilton, his colleague in the "Engagement." Lauderdale and the Countess were therefore old friends. When Lauderdale rose to power, she expected, apparently, to see some tangible signs of gratitude for her alleged services, but the Earl's attitude towards her appears to have betrayed a disconcerting lack of appreciation. The fact seems to be that during the first eight years after the Restoration, he had no inclination to carry on an intrigue with the Countess or any other married woman. He may have distrusted his strength to resist so dangerously fascinating a woman, and so, as Burnet puts it, "they lived some years at a distance." But on her husband's death, "she made up all quarrels"; and from that moment, Lauderdale was doomed. She acquired so much influence over him that "he delivered himself up to all her humours and passions," and "from that time," repeats Burnet emphatically, "to the end of his days, he became quite another sort of man than he had been in all the former parts of his life."[1] Judging by Lauderdale's political acts, there would appear to be complete justification for Burnet's point of view. The decline in Lauderdale's character was gradual, but none the less sure. Meantime, what of his own neglected wife, a daughter, it may be remembered, of the Earl of Home?

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[1] Echard's *History of England*, p. 726.

[2] Noble's *Memoirs of the Cromwell Family*, I. p. 125.

From the little that we know of her, she seems to have been a domesticated, sensible woman, disabled by a querulous temper, and endowed apparently with little learning or wit; "a good wife," but with no attractions, save her faithfulness, to set off against the spells by which her husband became bound to her fascinating rival. There is no reason to suppose that before her husband fell under the influence of Lady Dysart, his relations with his wife were other than harmonious. The sister of the Countess of Lauderdale, Lady Margaret Home, became the Countess of Moray; and Lady Mary Stuart, the eldest daughter of the Countess of Moray, was the first wife of the 9th Earl of Argyll. So there was a family, as well as a political reason, for Lauderdale's friendship with Argyll, whose second wife was a Mackenzie, daughter of Colin, first Earl of Seaforth, and widow of the Earl of Balcarres. Lady Mary was a favourite niece of Lauderdale, and her death was a grief to him. He showed good feeling for his wife in her sorrow. He tells his son-in-law, Lord Yester,[1] that the sad news of his niece's death grieved him so much, "that I sent immediately for my coach and came hither to comfort my poor wife, who is mightily afflicted for it." His first thought was of his wife.[2]

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[1] *History,* p. 165. Kirkton is substantially in agreement with Burnet. He says (*History*, p. 288): "Lauderdale was even thought to have retained his old maxims till his unhappy second marriage and till he made Hatton his brother his substitute in the Government. Indeed, after these two he brought forth little other fruit than his serving his wife's avarice and his brother's violence."

Pepys gives a pleasant picture of their home life at Highgate: their house and grounds stood where Waterlow Park now is. The diarist went out to Highgate on business (it was in the year of the Great Fire) and found Lauderdale, "his Lady and some Scotch people" at supper; "a pretty odd company, though" (he adds reflectively) "my Lord Bruncker tells me my Lord Lauderdale is a man of mighty good reason and judgment." At supper, one of the servants played on the "viallin" Scottish airs only, "some of the best in their country," judging by the applause of the audience. "But Lord! the strangest ayre that ever I heard in my life, and all of one cast." Himself a musician, Pepys was astonished to hear Lauderdale declare that "he had rather hear a cat mew than the best musique in the world, and the better the musique, the more sicke it makes him, and that of all instruments he hates the lute most, and next to that, the bagpipe." And yet Lauderdale was a rabid Scot! But he confessed that "the better the musique, the more sicke it makes him"![3]

Alas! evil days were to fall upon the pleasant home at Highgate. It became neglected, like the wife, and fell into such a state of disrepair that the Countess had to write to her husband in September (1670?), from Paris, that she hears "the hous of hayghat is laik to fal," and that in a special sense "your bouks hes bin the ocaseion of it." By this time his home had been completely broken up, but he stored his books there, and the number must have been considerable for their weight to threaten to "bring a old hous on my head."[1] But what was the Countess doing in Paris, and why the cold formality of her letter to her husband? She crossed to France on the plea of ill-health, but the true reason was—the Countess of Dysart.[2] Her husband's affections had become estranged from her by a clever woman, who could turn Lauderdale, eminent statesman though he was, round her little finger. The Countess of Lauderdale died in Paris, unreconciled to her husband, and was buried with great honour as the "Vice-Queen of Scotland."[3]

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[1] Afterwards Marquis of Tweeddale. He married Lauderdale's daughter, Anne, on 11th December 1666.

[2] *Hist. MSS. Com. Rep.* VI. Pt. 1-2., p. 608. Argyll's second wife was a deeply religious woman, and a staunch Presbyterian. Her favourite daughter by her first husband became a Romanist, and ran away to a French nunnery, where she died.

[3] *Pepys' Diary* (1904) pp. 379, 380.

But it was another woman who was the real Vice-Queen. She was queen of Lauderdale's heart before his first wife's death, and when she became his second wife, she aimed at exercising the power of a Queen in Scotland. After her marriage, "she carried all things with a haughtiness that could not have been easily borne from a Queen." The marriage took place in the parish church of Petersham, Surrey, on 17th February 1672, the celebrant being the Bishop of Worcester.[4] Thenceforward,

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[1] *Lauderdale Papers*, II. p. 203.

[2] Burnet, p. 165, also Mackenzie (p. 212) who says that in 1670 "Lauderdale professed an open gallantry" for Lady Dysart. Lady Lauderdale "with her servants" and "11 horses" crossed to France in the yacht "Merlin" in March 1670.

[3] Mackenzie's *Memoirs*, p. 217.

[4] Lyson's *Environs of London*, Vol. I. Pt. I. pp. 294-5.

On 12th April 1672, a warrant was issued for a grant to Lauderdale of the manors of Petersham and Ham (*Cal. of State Papers Dom. Ser.*, Ham House became the centre of Lauderdale's social activities.[1]

Lady Dysart's influence over him had been gradually increasing. Sir George Mackenzie states that "he really yielded to his gratitude, she having formerly saved his life by her mediation with the Usurper."[2] Gratitude may have been the original impellent, but it is quite clear that it had developed into infatuation. Even before her marriage with Lauderdale, she had secretly influenced political appointments. In 1671, when a Justice-Clerk was appointed in Scotland, the remark was made: "this was our Donna Olimpia's doings."[3] Thoughtful men feared greatly the political effects of the marriage. There were other drawbacks. She was the mother of eleven children (of whom six had died young), and although *her* friends alleged she was only forty-five years of age, *his* friends thought he ought to marry a younger woman, "by whom he might expect succession." But no consideration could turn Lauderdale away from his purpose. "She had such an ascendant over his affections that neither her age, nor his affairs, nor yet the clamour of his friends and the people, more urgent

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p. 312). The father of the Duchess had a reversionary lease of Ham from Charles I. After the death of Lauderdale, the property went to the heirs of the Duchess by her first husband, Sir Lionel Tollemache (Lyson's *Environs of London*, I. Pt. I. p. 173).

[1] It was built in 1610, and was greatly altered by Lauderdale. Lyson describes the interior of the house, making special allusion to the chair in which the Duchess used to sit and read. "It has a small desk fixed to it, and her cane hangs by the side."

Ham House was the birthplace of John, Duke of Argyll and his brother Archibald. James II. stayed there a short time on the arrival of the Prince of Orange.

[2] *Memoirs*, p. 218.

[3] The allusion is to Donna Olympia Maidalchina of Viterbo, sister-in-law of Pope Innocent X. "It was to her," says Ranke (*History of the Popes*), "that Ambassadors paid their first visit on arriving at Rome. Cardinals placed her portrait in their apartments as is customary with the portraits of sovereigns, and foreign Courts sought to conciliate her favour by presents."

than both these, could divert him," says Mackenzie "from marrying her within six weeks of his Lady's decease."[1] The same author confirms Burnet's statement about the charms of Elizabeth Murray. "Nor was her wit" (he says) "less charming than the beauty of other women, nor had the extraordinary beauty she possest whilst she was young ceded to the age at which she was then arriv'd."[2] It was not surprising, therefore, that Lauderdale, enchained by her beauty and her wit, would listen to no dissuasive advice. Such advice offered by Sir Robert Moray cost him Lauderdale's friendship, and not long before the marriage, Tweeddale had lost his favour by his candour about the same lady. "So much," says Mackenzie sagely, "is friendship a weaker passion than amours are, and so foolish a thing is it for friends to interpose betwixt a man and his mistress." On Lauderdale's wedding-day, feasts and entertainments were given in Edinburgh, "and the castle shot as many guns as at his Majesty's birthday."[3]

The descriptions by contemporary writers of Lauderdale's personal appearance are not attractive, and judging by his portraits, it may be assumed that he never could have been a handsome man. Yet it is evident that while the graces of face and figure could scarcely make a woman fall in love with him, his personality could. His powerful mind was magnetically attractive, and both men and women were drawn by the magnet. Among the latter was Lady Margaret Kennedy, a daughter of the Earl of Cassillis, a family which, during the seventeenth century, justly earned the reputation of being, perhaps, the most pious Presbyterians of the Scottish aristocracy. Lady Margaret's letters to Lauderdale in the early days of his Secretaryship reveal a tenderness ill-concealed by ciphers: there are feminine touches in them that plainly discover affection for her correspondent. The two were, indeed, on such terms of friendship that when Lauderdale, as Commissioner, resided at Holyrood Abbey, Lady Margaret also lived in the Abbey, "in which no woman else lodg'd, nor did the Commissioner blush to go openly to her chamber in his nightgown." The lady's reply to "the reprehensions and railleries of her friends" was, that "her virtue was above suspicion"; and Sir George Mackenzie adds, "as really it was, she being a person whose religion exceeded as far her wit, as her parts exceeded others of her sex."[1]

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[1] *Memoirs*, p. 217.

[2] *Ibid.* p. 218.

[3] *Ibid.* p. 218.

The sequel to the story of their friendship is told by the same author. Lady Margaret married Gilbert Burnet, the historian, privately, "after two years sute." She was eighteen years his senior, and was reluctant (says Burnet) to marry him, but was anxious to retain him as a friend.[2] Before the marriage, which remained a secret for two years, Burnet prepared a deed renouncing all pretensions to his wife's fortune. She had lived in a "high reputation" as a wit and a "bigot" Presbyterian, but Burnet flatters himself that after their marriage, he brought her off from "the rigidity of the Presbyterian way."[3] Sir George Mackenzie hints that the youthful Burnet, whom Lauderdale had befriended for his father's sake, was the wooed rather than the wooer, and that the object of the lady in encouraging Burnet, was to revenge herself upon Lauderdale (because he did not marry her), by engaging Gilbert in a plot against his benefactor.[1] How much, or how little, truth there may be in this version cannot be determined (motives cannot always be correctly gauged, or honestly stated, even by contemporaries and certainly not by contemporaries of the Restoration period), but it is scarcely permissible to doubt that Burnet's well-known sketch of Lauderdale's character owed something to the fact that his wife was Lady Margaret of the "Letters."

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[1] *Memoirs*, p. 213.

[2] *Supp. to Burnet's History*, p. 480.

[3] "All men condemn her" says Law (an "outed" Presbyterian minister), "for that match with him who was prelatick." He adds, "she was well stricken in years before her marriage." (*Memorialls*, p. 75).

As Lady Margaret Kennedy, she was a militant Presbyterian. The women of the Scottish aristocracy were more outspoken in their opposition to Episcopacy than the men: they could afford to rail at the Bishops with greater freedom than their husbands. The opinion of the Duchess of Hamilton was perhaps characteristic of that of other peeresses: she had no settled views about Church government; only she thought the Presbyterian Ministers were "good men who kept the country in great quiet and order"; they were, she said, "blameless in their lives, devout in their way, and diligent in their labours"[2]; an ecclesiastical creed of refreshing simplicity.

These were the men whom it was sought to attract back to their parishes by means of the Indulgence of 1669. The Indulgence was essentially a compromise. Something had to be done to fill the empty churches. While the "curates" preached to vacant pews, the house and field conventicles flourished exceedingly. The older and sedater teachers of the people were, however, giving place to fiery orators of the younger generation, whose motto was "no compromise." The

[1] *Memoirs*, p. 315.

[2] Burnet, *History*, p. 187.

ministers were now as a body less influential than formerly. The members of their flocks had developed into such theologians and politicians that the leaders were compelled to conform to their humour, or lose their popularity. It was only the men of outstanding personality, or persuasive eloquence, who could take the risk of preaching unpalatable doctrine. In his earnest efforts for peace, Archbishop Leighton was ready to concede some of the most cherished privileges of his order. He expected, it is true, that the next generation would see a recovery of those privileges, or some of them, and he retained his belief in "prelatic" dogmas such as the Apostolical Succession; but in practice, he was willing to strip the hierarchy of all its outward adornments, if by that means he could put an end to strife. Tweeddale agreed with his views on comprehension, and favoured legislation to give effect to them; but Lauderdale demurred to the proposal. He would only agree to legislation after both sides had come to an understanding. He feared the wrath of the English Bishops, and he knew that if the plan failed, the blame would have to be borne mainly by himself.[1] Finally, on Tweeddale's suggestion, the Indulgence, an act of the King's grace which thus avoided pitfalls, was decided upon. Leighton doubted its success, and his doubt was justified by events.

Let us consider briefly the conditions which foredoomed the Indulgence to failure. The Act of Supremacy had hardened opinion against State interference in ecclesiastical affairs, and strengthened suspicion of benevolently intended measures. The prelates and the people were equally opposed to the Erastianism underlying the Act. It was alleged, years afterwards, that Lauderdale had made the Presbyterians believe that the object of the Act was to empower the King to re-establish Presbytery.[1] There is no evidence of the prevalence of this belief among the Covenanters. On the contrary, they railed against the Act as a "usurpation of Christ's prerogative," and they never became reconciled to it. Equally opposed to it, though from a different standpoint, were the Bishops. By providing common ground between irreconcilable enemies, the Act produced a confusion of interests which it was Lauderdale's policy to promote. He was determined that neither Presbyter nor Prelate should stand in his way. The Indulgence produced exactly the same effect as the Act of Supremacy, in arousing opposition equally among the Bishops and their bitterest foes; moreover, it widened the chasm that divided the moderate Presbyterians from the extremists. It was a bewildering situation.

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[1] Burnet's *History*, pp. 186-7, where an account is given of the discussion preliminary to the grant of the Indulgence.

Of the three hundred and fifty ministers who had been "outed" from their parishes for nonconformity, forty-two were reinstated in 1669 (the first year of the Indulgence), those of them who had refused Episcopal collation being restored with restricted privileges.[2] The attitude of the Protesters (more particularly) towards the Indulgence was uncompromisingly hostile, and those ministers who accepted its benefits were by them denounced as traitors. "Touch not, taste not, handle not," was their favourite motto in relation

[1] *Somers' Tracts,* VIII. p. 504.

[2] According to Leighton, the Bishops in Scotland made no attempt to ordain those who already held Presbyterian orders.

to the Indulgence. They would have deemed it a strange doctrine to apply to indulgence in alehouses, but they thought it an apt text to express their view of indulgence in parish churches. They placed the indulged clergy in the same category as the "curates"; they called them the "King's curates" to distinguish them from the "Bishops' curates"; and contempt could plumb no lower depths.

To make matters worse, at this juncture, conventicling broke out in Fife (a new feature for that part of Scotland), and threatened to become epidemical. The spirit of conventicling (frowned upon by the leaders of the Kirk in the previous generation) was as catching as measles. Misapprehending the spirit of the Indulgence, the Fife nonconformists believed that they could enjoy the excitement of field meetings—they were undeniably attractive, both for their emotional effects and the spice of danger which attendance entailed—with impunity, and leave the parish churches empty. Some of the gentry of Fife took part in these meetings, carrying their accustomed arms. The Chancellor (Rothes) was infuriated by the display of nonconformity in his own country, and in a report to London, seems to have grossly exaggerated the whole thing; he found willing helpers in the Bishops.[1] Thus the field conventicles were described as "the rendezvous of rebellion"; all because a few country gentlemen had attended them with their customary arms. The "rendezvous of rebellion" was a resounding phrase that soon came into use to justify the harshest measure for wiping all conventicles off the face of Scotland.

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[1] Mackenzie's *Memoirs*, p. 189. The conventicles, says Law (*Memorialls*) "did gall the Bishops and curats," p. 49.

The fear of conventicles was the measure of nervousness of the Crown. The beginnings of the Civil War, a generation previously, were not forgotten by a King who had his ears laid constantly to the ground for the first rumblings of revolt, and who was firmly resolved that whatever else might happen, whatever force had to be employed, or concessions to be granted, he at least would not go on his travels again. He had a lively sense of the fact that the material in Scotland from which danger might be apprehended, if smaller in bulk than in England, was more inflammable in quality. He was constantly boasting that he knew Scotland well. Certainly he knew one side of it, and that the most unlovely; but his knowledge had not apparently increased his confidence in its attachment to his person or his throne. It took the Scots a long time to know their Stewart Kings with the intimacy that would have bred contempt. At the Restoration, their loyalty was spontaneous and fervent. Six years later, its fervour had evaporated. The devotion was still there; but the fizzing champagne was now flat ginger-beer. Indeed, as the direct result of bad government, disloyalty was beginning to become furtively active. During the first war against the United Provinces, Rotterdam, where there was a Scots Church, was a centre of plots by exiled Scots against Charles and his Councillors. The Dutch had many sympathizers among their co-religionists in Scotland; and they were sufficiently astute to exploit this sympathy in order to embarrass England: it was the old game that France had played so successfully in the past. A plan was formed by the Scots in Holland to seize Edinburgh Castle; and the discovery of this plot, with its complementary revelation of the state of feeling in Scotland, had probably more to do with the use of the confession—extorting "boots" and other tortures, after the Pentland Rising in 1666, than mere conventicling.[1]

Thus, by 1669, when the Indulgence was promulgated, the alert senses of Charles and his Councillors had already detected in the Scottish air a sultry feeling which made them uncomfortable. Conventicles, they argued, gave opportunities for seditious talking. Seditious talk leads to rebellious action. Therefore conventicles must be suppressed. To their listening ears, the clashing together of two scythes at a hillside conventicle was a clap of thunder preluding a terrific storm. Beyond doubt, the feeling of insecurity and the nervousness which it engendered, were largely responsible for the rigour with which conventicles were put down.

The same policy had been followed in England. The Corporation Act of 1661, the Act of Uniformity of 1662, the Conventicles Act of 1664, and the Five Mile Act of 1665, were progressive stages in the roughly-laid road by which the Cavaliers were travelling, with Charles as their unwilling passenger. All were symptoms of insecurity, and all were the result of nervous fear. Dissent (such was the argument) meant danger to Church and State; in uniformity alone was there safety. Political fear of nonconformity, and especially of Romish plots, warped the judgement of the English Parliament, and rendered it, temporarily, not the protector of the people, but an irresponsible persecutor. At no time during the reign of Charles II., either in England or Scotland, was the supremacy of Bishops the goal of repressive legislation. The aim was the repression of dissidence, because dissidence was falsely regarded as the mother of revolt, while uniformity and loyalty were regarded as synonyms. There is evidence, not only of co-ordination between English and Scottish legislation on conventicles, but of correspondence between the nonconformists of the two countries on their attitude towards the State. Three years before the short-lived Indulgence in 1672 was granted in England, it happened that conventicles in Scotland received a fillip which alarmed even the moderate Tweeddale. "Some ringleader" (so he wrote early in 1669), suggested to his party that "it was now fitt to try if the State would suffer that liberty (which) was given in England."[1] Yet in 1670, the English Presbyterians, hearing of the Indulgence given to some ministers in Scotland, offered the King "to pay all his debt and advance him a considerable soume besyde, provydeing the same liberty be granted to them."[2] The Presbyterians in England were singled out by the Parliament for specially harsh treatment, and it is clear that the indulged ministers in Scotland were envied by their "brethren" in England.[3]

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[1] Were the men shipped to Barbados as slaves so treated because they were Covenanters, or because they were rebels?

The Scottish "brethren" were irreconcilable. Lauderdale had given the dissolute lords and the persecuting prelates too long a rope before ending their career of violence. The Indulgence came too late, for the iron had entered into the soul of the harassed people. No concession short of the total abolition of the Episcopate and the complete reinstatement of the Covenant would now satisfy the more violent of the ministers and their large following. And the education of the people in civil matters, also, had progressed in a radical direction. The doctrines advocated in *Napthali*, "a damned book come hither from beyond sea" (writes Moray to Lauderdale) and "burnt by the Hangman," and the later *Jus Populi Vindicatum*, from the same hand, were taking hold of the people. In a letter to Sharp, Lauderdale calls *Jus* "a damnable, traitorous book," and says that no good to Bishops or the orthodox was to be expected from a party owning such principles, . . . "I adde that if that partie prevaile, the King, monarchie, and all loyal men are utterly destroyed."[1] Sharp called it "a mischievous book," and no wonder, for the author had recommended him to offer his head to the King in a silver box "as a propine"! Moreover, Charles was urged to hang the prelates and all his ministers who aided and abetted them! It is a remarkable feature of contemporary Covenanting literature, that the blame for all the troubles, almost invariably, is laid at the door of "the prelates"; the King's ministers who actually issued the orders for repressive measures, being popularly regarded as the tools of the Bishops. That, of course, was not the fact; for Sharp, the Primate, was clearly used by Lauderdale as his creature. And so proud was he of Lauderdale's condescension in making him his confidant, that we find the Earl of Kincardine in 1671 telling his chief, "St

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[1] *Laud. Papers*, II. p. 125.

[2] *Scott. Hist. Soc.*, Vol. XXXVI. p. 233.

[3] Bishop Parker (of Oxford), himself a renegade from the Presbyterian persuasion, classes the Presbyterians as schismatics, but distinguishes them from "sectaries" (see *History of his own Time*).

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[1] *Scott. Hist. Soc.*, Vol. XV. p. 265. The author (or part author), was James (afterwards Sir James) Stewart of Goodtrees, who, after the Revolution became King's Advocate of William III. Stewart's political views were exceedingly advanced; and apparently he hankered after the theocratic State, rigidly moral but fiercely intolerant, which was the ideal of the extreme Covenanters. Stewart was one of the enemies of the Government who had to take refuge in Holland.

Andrews brags mightily of your letters and even grows insolent. You need not be directed how to use him; you know cajoling looseth him, and that he is never right but when he is keept under."[1]

It suited Lauderdale's purpose to keep in close touch with Sharp during the time when the Indulgence was on its trial. We find him, as early as March 1670, telling the Primate he was sorry to find the "disaffected partie" resolved "to creat trouble." They were far from encouraging conventicles in England; on the contrary, "a good bill against them is past the Commons." "If our disaffected" (so he continues) "will continue mad, we must put a stout hart to a stay brea." The brae was certainly steep enough to appal even a stouter heart than Lauderdale's. He learns by letter, he says, that "the unsatisfyed preachers are unsatisfyed still." He declares that they are "peevish and unsatisfyable," and "I meane" he adds, "to trouble my head no more with them."[2]

Here we see a symptom of one of Lauderdale's chief weaknesses in his later years as a statesman: lack of patience. It cannot be said with any degree of confidence, that, had he exercised patience and persevered with his conciliatory measures, a peaceful settlement would have been secured. But the expedient was certainly worth a prolonged trial. It was avowedly an experiment, the only alternative to which was increased rigour. To concede the full demands of the extremists was, for Lauderdale, clearly impossible. The King would not have given his assent, and even if his assent could have been obtained, the English Parliament, as then constituted, and still more, the English Bishops, would have assailed such a *volte-face* so vigorously as to make the project unworkable. Besides, even if the ecclesiastical policy in Scotland had been completely reversed, what guarantee was there that peace would follow? The prospects, indeed, were that the embittered feelings of the two parties in the Kirk would have found vent in sectional warfare; and this was practically admitted (in their candid moments) by themselves. No: the full penalty had to be exacted for a stupid policy, conceived in servility, and carried out with cruelty. Lauderdale saw the folly of this policy when it was proposed, but in associating himself with its administration, he did not foresee the inconceivable maladroitness of the prelates, the bibulous recklessness of the Middletonians, nor the stubborn tenacity of his oppressed fellow-countrymen. It was too late now to reverse that policy entirely. To advocate a reversal would have meant his retirement from public life, and at this stage of his career, retirement was the last thing for which he was prepared. His second marriage was a powerful stimulus to his ambition; and under the influence of that stimulus, his ambition soared higher now than ever it had done before.

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[1] *Laud. Papers*, II. p. 214.
[2] *Scott. Hist. Soc.*, Vol. XV. p. 265.

His impatience with the Presbyterian opponents of the Indulgence found expression in what he called "a Clanking Act against conventicles,"[1] the only dissentient in Parliament (to his credit) being the courageous Earl of Cassillis. The Act was passed in August 1670. It fined non-attenders at their parish churches at one eighth of their annual rent, and those who attended field conventicles were punish-able by death. The apparent ferocity of the latter provision is tempered by the consideration that, like the Scottish capital punishment (1560) for a third saying of the Mass, or the English (1648) or Scottish (1661) capital punishment for blasphemy, it was never intended to carry out the death penalty. It was Lauderdale's rough way of giving the people a fright, and his coadjutor, Tweeddale, practically admitted as much when Leighton expostulated with him for so monstrous a penalty.[1] Even Charles seems to have disapproved (for once) of his favourite's action, until he realized that the Act was not to be taken seriously. The fact was that, do what he would, the Commissioner retained the confidence of the Presbyterians in Scotland. However much appearances might be against the assumption, they believed that Lauderdale, who "had been bred in aversion" to Episcopacy, was working in secret on the other side; and they knew that he had far greater influence with the King than any other Scot. "They believed" (in 1669) "that he was advancing their interest even when he did seem to persecute them."[2] And even the death penalty with which they were threatened in 1670, failed to shatter their faith in him. It was this fact that gave encouragement to the outbreak of conventicling and the "rabbling" of "curates"; and these, in conjunction with the comparative failure of the Indulgence, led to the passing of the "Clanking Act." Lauderdale was enraged with the Covenanters; he had to reply to the Bishops (English as well as Scottish), who saw in the results of the Indulgence the failure of conciliation which they had foretold. He was afraid that his authority would be undermined if he did not make an unmistakable show of severity; hence the "Clanking Act."

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[1] See Mackenzie's *Memoirs*, p. 189 on this Act. The name "Clanking Act" was given to it by Lauderdale in a letter to Moray dated 11th August 1670 (*Laud. Papers* II. p. 200).

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[1] Tweeddale assured Leighton that there was no intention of putting the Act into execution (Burnet p. 196). A clause in the Act relieving Roman Catholics from its obligations subjected Lauderdale to much criticism. He gave his reason for it in his own grim way.

[2] Mackenzie's *Memoirs*, p. 156.

But, concurrently with the passing of this ferocious Act (an expression, it may be, of the newly-acquired "fierce, intractable temper" which Burnet ascribes to Lauderdale), an effort was made in the direction of compromise. Repression and conciliation were to be driven tandem-fashion, and their order was alternate, for it seemed doubtful which would be the more effective, and the better stayer, of the two. The chief agent in the policy of conciliation was Bishop Leighton, who, as far back as 1669, was working hard for an accommodation between the Church as established by law, and the Church as established in the affections of the people.

Leighton, the most patient and broad-minded of men, could not conceal his dismay when he found himself up against a dead wall of prejudice and ignorance. From one point of view, he was not well-fitted for the rôle of mediator: he was so tolerant in his views that he was trusted by neither side. By the Covenanters he was regarded as a Covenant-breaker, for had he not renounced the Covenant? He had excellent reasons to give for the renunciation, but in the eyes of the extreme men, it was an unpardonable sin.[1] Besides, he had

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[1] Leighton held that the Covenant was directed not against Episcopacy, but against "Prelacy." Dr M'Crie (*The Story of the Scottish Church* (1875) p. 304) says that "as systems of policy, Prelacy and Presbyterianism are plainly incapable of amalgamation"; a statement that is difficult to refute. He does not, however, say that Episcopacy and Presbyterianism are incapable of amalgamation. The distinction between Prelacy and Episcopacy is fundamental. Baxter favoured an Episcopate devoid of excesses in ritual and doctrine. Leighton's view

"lax" views on Church government, which satisfied neither Episcopalian nor Presbyterian. Forms and ceremonies were nothing to him, in comparison with the deeper and truer aspects of spiritual life. The "accommodation" which he sought to bring about was, from the first, rather a hopeless venture. It had the sanction and the active help of Lauderdale and Tweeddale (two men who were concerned with the externals of religion, only in so far as they served a political end), and the benediction of all who were more concerned for peace than for sectarian victory. Lauderdale had the active co-operation, too, of Gilbert Burnet, and of other influential and broadminded clergymen of the Established Church, like Nairn and Charteris. But the conferences between them and the Presbyterian leaders failed to find a common ground of agreement. Leighton was willing to go far in relinquishing the privileges of his order. For the sake of peace, he was ready to advocate the remodelling of the Scottish Episcopate on the lines of Usher's proposals, and to make Bishops simply overseers—like John Knox's Superintendents. His scheme would have met with the warm approval of Baxter, or the French Protestants who were consulted at the Restoration on the question of Church government in Scotland.[1] As Sharp complained in a letter to Lauderdale, it left "nothing to the authority of a Bishop but the insignificant title."[2]

of the Covenant and its conditions was that it had been "rashli entered into and is now to be repented for." (See Mr Butler's *Life and Letters of Robert Leighton* and *Brodie's Diary*).

[1] *Lauderdale Papers*, I. pp. 28-30. Basire, an eminent French divine, published a book in 1660, in which he draws a parallel between the Covenant and the Holy League of France under Henry III., and between the doctrine of the Covenanters and that of the Jesuits.

[2] *Laud. Papers*, II. p. 214.

The negotiations broke down, owing to the ingrained suspicions entertained by the Presbyterians of the good faith of the other side. They suspected (what was, indeed, hoped for) that the ultimate goal of the concessions was to effect, in time, a reconciliation between the two forms of Church government, with Episcopacy uppermost. "Touch not, taste not, handle not": such was their fixed attitude towards the overtures. But their rejection of the "accommodation" would seem to indicate a lack of confidence in their own tenacity of purpose. Why should they not have accepted such far-reaching concessions, with the firm intention of using them as stepping-stones to the attainment of their desires? There was a good prospect of their recovering, if not full Presbyterianism, at least the polity recognized by John Knox, a polity that is becoming increasingly acknowledged by non-Episcopal Protestants, as offering the most effective machinery yet invented for combining democratic government with effective discipline.

The following weighty statements by Tweeddale and by Leighton, which are related to one another as cause and effect, clarify the attitude of the Presbyterians towards Leighton's proposals. Writing to his colleague, Lauderdale, on 27th September 1670, about the conferences on "the regulation of Episcopacy to a primitive model and the alowanc of Presbytery," Tweeddale says:—

> "I dar now assure yow, give them ministers such as are worthy to teach the Gospel, and yow will heir of nether" (conventicles and the increase of dissent) "for that plac hes bein miserably Ruind with the planting of insufficient, scandalous, imprudent, young fellows (the

> 'curates') and the severitys of the souldiery, and at the present, the very quartering ther does mor hurt than all the security it brings is worth."[1]

Yet Tweeddale does not conceal his opinion of the extreme elements on the other side when he says:—"Som of that gang will not subscribe to the Lord's Prayer if askid of them": and that testimony to the ignorant resistance of the extremists to set forms of any description, is amply borne out by other writers. These people preferred what Lauderdale described as instructing the Lord in his duty, to the devotional tone of written prayers.

Leighton's statements, like those of Tweeddale, owe their impressiveness to their source. He is writing of the state of affairs in 1669, and this is what he says:—

> "The peevish and insolent humour of many is of that height, that if somewhat be not done to tame it, I tremble to think where it may end. The schismatical principles they have drunk in are such, that they themselves confess they are both aware and afraid of. And it is hoped that these good ministers will judge themselves obliged to lift up their voices like a trumpet, and make them know their iniquities, and not only covertly declare against them, but speak plain Scots to them."[2]

The "good ministers" (the indulgees) were in the uncomfortable situation of being unable to please either party. If they "preached to the times," they forfeited the favour by which they were indulged. If they "lifted up their voice like a trumpet," and rebuked the schismatics in "plain Scots," they forfeited all hope of making themselves popular. So (wise men) they took a safe line and preached the Gospel. But that failed to make them popular.

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[1] *Lauderdale Papers*, II. p. 207. On the licentiousness of the "curates," see examples given by Kirkton, pp. 181-2 and 185-7. The "severitys of the souldiery" were patent.

[2] *The Life and Letters of Robert Leighton* by the Rev. D. Butler, p. 432.

In 1671 Leighton tells Lauderdale that the people in most of the parishes of his diocese "would not receive angels," if they committed the "horrid crime" of—what? Going to Presbyteries and Synods! For these were polluted by the presence of the Bishops.

When despotism and fanaticism are arrayed in conflict, what chance is there for a peaceful accommodation? In Scotland the voice of moderation on both sides was silenced by the clamour of intolerance. Later on, conciliation was thrown to the winds: full rein was given to repression; and the more they were persecuted, the fiercer and the more obstinate became the spirit of the recusants. Lauderdale's policy of holding out an olive branch in the right hand, and brandishing a bludgeon in the left, was not a success. The olive branch and the threatening club were equally disregarded by the "peevish and insolent" section of the people.

CHAPTER XIX

Politically, Lauderdale's interests were centred in Scotland, and it might have been supposed that these were sufficiently engrossing to exclude all others in the sphere of politics. Yet, as we have seen, he took an active share in shaping the foreign relations of England with France. With domestic politics in England, he had ostensibly no concern, except in their impact upon Scottish affairs. But foreign politics affected Scotland as well as England, for Scotland had to bear her share of the cost of wars undertaken to serve the common interests of both countries, or (as in the reign of Charles) to serve the interests of the King. Lauderdale's inclusion in the Committee of the Privy Council, known as the Cabal, was justified by the fact that he was the representative of Scotland in London.[1] But there is no adequate ground for inferring that his appointment was really based upon so just a reason. He was a member of the Cabal because he was a friend of the King; and because he was a man in whose political sagacity, and in whose attachment to his person, Charles reposed complete confidence. And the confidence, as events showed, was not misplaced.

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[1] "We want a Lauderdale &c. at Court," wrote Sir G. Rawdon, "for the watching for Ireland as they do for Scotland."

As a member of the Cabal, Lauderdale appears, on one occasion at least, in the rôle of a High Inquisitor. An entry in the *State Papers* shows that in January 1673 the Lieutenant of the Tower was ordered to have the rack ready, the King having appointed Lauderdale and Secretary Coventry to "repair thither to examine certain prisoners." (*Cal. of State Papers Dom. Ser.*, 1st October 1672 to February 1673, p. 483). This shows that contrary to the accepted view, prisoners in the Tower were tortured during the reign of Charles II.

Was he then a mere creature of the King, whose will was his only law? His own avowal might appear to justify that conclusion, were it not that due allowance must be made for the inflated language of the courtier. It has been shown, however, that Charles was well aware that there were limits to his loyalty. He was not trusted with a disclosure of the secret Treaty of Dover, and he was one of those members of the Cabal who were hoodwinked by the sham treaty that was subsequently signed. And, on his part, Lauderdale showed a certain degree of independence which disproved the suggestion that he was merely the King's puppet.

In 1671, he displeased Charles by his attitude on a Bill of Supply,[1] and when the nefarious Stop of the Exchequer was decided upon, the authorship of which has been attributed both to Ashley and Clifford, he remained neutral;[2] properly so, in view of his "correct" attitude of non-intervention in purely English affairs. But his attitude towards foreign politics was entirely that of subservience to the King's will, although, as already shown, even in that domain, there were lengths to which he was not prepared to go. In common with the other members of the Cabal, he signed, on 2nd February 1672, the new treaty with Louis, which made public, for the first time, not merely to the country, but to the whole body of Ministers and Privy Councillors, that an alliance had been formed with France against Holland. The new treaty was substantially the same as that of 31st December 1670, which it replaced.[1] The country was hoodwinked into the belief that the foreign policy which the treaty connoted, had been recently initiated; and plausible reasons were assigned for its adoption. The members of the Cabal received the honours they had earned for their acquiescence in the King's pleasure. But only one of them got a Dukedom, and that member was Lauderdale. In May 1672 he was created Duke of Lauderdale and Marquis of March, the latter title being derived from the Dunbar family from which Lauderdale was descended.[2]

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[1] Christie's *Shaftesbury*, II., pp. 55-56.

[2] *Ibid.*, II., p. 59.

His relations with Ashley—who was created Earl of Shaftesbury in April 1672—are of peculiar interest. For a time they acted in concert, both being regarded by the colleagues as Protestant "stalwarts." But it was on the rock of Romanism that their friendship split, and their political relations were dissevered. Stringer, one of Shaftesbury's secretaries, tells us of an interview which appears to mark the definite break in these relations. Lauderdale had learned from "the Countess of Dysart" (so it must have been before his marriage) that the King had been seen performing his devotions in the Queen's oratory. The obvious inference was that Charles was a secret Romanist.[1] Perturbed, apparently, by the discovery, Lauderdale hurried to Shaftesbury (at that time Ashley) with the news, which (again according to Stringer) was no news to Shaftesbury at all. But Lauderdale's visit provided Shaftesbury with an opportunity of seeking to engage his colleague's interest against the Popish (and, therefore, the French) interest. "Shaftesbury," says Stringer, was "much concerned at the Duke's being affected by his discovery, he (*i.e.* Lauderdale) being a man of great consideration, both from his parts and resolution in the most important affairs." Therefore he plied Lauderdale with arguments "not to decline the interest he had hitherto by his courage and conduct so bravely asserted." Lauderdale's "abilities," said Shaftesbury, were absolutely necessary to preserve and support the Protestant interest. "How great a glory it would be," he went on, "to preserve the nation from the fatal consequences which would inevitably happen if these pernicious councillors" (presumably Arlington and Clifford) "shall succeed to introduce Popery" to the country. And even in the event of failure to defeat their plans, how much better it would be to fall a sacrifice "in so honourable and just a cause." To comply with the matter would bring the "uttermost misery and calamity upon the Kingdom."

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[1] Christie's *Shaftesbury*, II., p. 28. Ratifications of the treaty were exchanged on 28th February, as also certain secret articles agreed with the French ambassador "in Lord Arlington's lodgings," where were present Arlington, Ashley, Lauderdale, and the Treasurer (*Cal. of State Papers Dom. Ser.*, December 1671 to 17th May 1672, p. 608, being an extract from Sir Joseph Williamson's Journal).

[2] The warrant for the creation, which is dated 1st May and is under the Great Seal, bears that the titles of Duke of Lauderdale, Marquis of March, Earl of Lauderdale, Viscount Maitland, Lord Thirlestane, Musselburgh, and Bolton, are conferred on him and the heirs male of his body, but to be without prejudice to the title and dignity of the Earldom of Lauderdale and patent of the same granted to him and his predecessors. (*Cal. of State Papers Dom. Ser.*, December 1671 to 17th May 1672, p. 437).

Lauderdale got the Garter on 18th April 1672.

Shaftesbury pleaded in vain. "Well, my Lord," was Lauderdale's reply, "you may do as you please." "As for me" (such was the implication), "I shall do as I please." "And" (says Stringer), "though he did not, like the Duke of Buckingham, become a proselyte to the Roman Catholic religion, yet he wholly after that time, delivered himself up to serve it and the French interest."[1]

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[1] As early as 1659, it became known to the *entourage* of Charles that he was secretly a Romanist. In 1672 he sent to Paris for a theologian to instruct him in the tenets of Roman Catholicism. His instructor (so he stipulated) must be a chemist as well as a theologian (Jesse's *England under the Stuarts*, p. 501). Charles dabbled in chemistry, but his acquaintance with "Fathers" of a spiritual type was negligible.

This is the language of a partisan: it was Stringer's business (he was in the complete confidence of Shaftesbury) to make out a good case for his master. From this time forward, Shaftesbury pursued Lauderdale with the most malignant enmity. It is not, perhaps, too much to say, that he was mainly responsible for the bitterness with which subsequent attempts were made to drive Lauderdale from public life. There is no ground for the assertion that during any part of his career, Lauderdale "delivered himself up to serve" the Roman Catholic interest. On the contrary, there is evidence for the view that he never wavered in his antagonism towards it. But his political support of Charles and the Duke of York—with Clifford, Arlington, and Buckingham, he joined the Duke in opposing the Test Act[2]—laid him under the imputation of favouring a religion whose tenets he abhorred. He had to choose between the Court party and the opposition, and for a man holding the views to which he subscribed, his choice could never be in doubt. He ranged himself, without hesitation, on the unpopular side.

It required courage and prudence for a Minister, detached from domestic politics in England, to steer a safe course through the shoals of public life by which Lauderdale was surrounded. He could not wholly divest himself of an active interest in English politics, however much he might desire to make a display of neutrality. More particularly in the domain of religion, domestic affairs had a repercussion upon foreign politics. There was a connexion more or less intimate between the treaties with France, the Declaration of Indulgence in 1672, and its subsequent withdrawal. "Lord Arlington," wrote Arlington's secretary, Williamson (afterwards Sir Joseph Williamson, Secretary of State), "stands fairer with Dissenters than Lauderdale. Scotland hates him, and so do all the Dissenters here. He that's false to one will be to another."[1] But Lauderdale had Colonel Blood to console him; Blood the adventurer and desperado, who went about boasting that "Lord Lauderdale and I understand one another." This was a few weeks prior to the Indulgence, and Blood had been trafficking with the "Dons" (the elder Dissenters) and the "Ducklings" (the younger Dissenters). After the Declaration had been promulgated, this pattern of virtue acted as an agent for procuring licences, and was suspected of detaining some of them until gold had crossed his palm.[2]

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[1] Christie's *Shaftesbury,* Appendix III. pp. xxii.-iv.

[2] *Ibid.* Appendix III. p. xxxi.

There seems to be little doubt that Lauderdale was an active, if secret, participant in the negotiations, of which the Indulgence in England was the fruit. His past record made him *persona grata* with the English Dissenters; like the Presbyterians in Scotland, they probably cherished the belief that he was their secret friend. Dr Butler was the negotiator between Arlington and the non-conformists, for whose favour Arlington and Lauderdale were apparently competing. Butler was told by certain Scotsmen (unnamed) that in Scotland "the Dissenters were as a hundred to one in number, and that Lauderdale maintained his influence there only by the King's favour."[1]

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[1] *Cal. of State Papers, Dom. Ser.*, Dec. 1671-May 1672, p. 8.

[2] The exact relations that existed between Lauderdale and Blood are not very clearly shown in the State papers, but it is obvious that Blood believed that his interest lay in securing Lauderdale's favour. Lauderdale knew how to make use of ruffians as well as of honest men.

It is interesting to observe that among his other adventures, Blood was at the Pentland Rising in Scotland in 1666.

How, in fact, did Lauderdale actually stand in his native country? Up to 1672-3, his difficulties as King's Commissioner were mainly ecclesiastical. They were now mainly political. "Ye West Sea is, at present, pretty calm," writes Leighton in 1672,[2] and it was well for the country that storms were temporarily absent, for the state of Lauderdale's health (he was suffering from stone), was such, that a coincidence of ecclesiastical and political trouble might have precipitated a crisis. But in April of 1673, he soon detected a new and hostile atmosphere. He met such a spirit as "I thoght never to have seen heir."[3] It was the commencement of a revolt which, during the rest of his life, harassed and finally broke him. Hitherto, his proposals to Parliament had been, in effect, ukases, which none dared dispute.

The rumblings of revolt were first heard in the previous session, but there was no open manifestation of hostility. In 1672, when the newly-married Duke came down to Edinburgh, with all the pomp and magnificence of a crowned King, to open Parliament as the King's Commissioner, he was accompanied by his wife. He was proud of his wife; proud of her wit and learning and cleverness, and still prouder, perhaps, of her beauty. So proud was he that (according to Burnet) he "adjourned the Parliament for a fortnight, that he might carry his Lady round the country."[4]

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[1] *Cal. of State Papers, Dom. Ser.*, Dec. 1671-May 1672, p. 45.

[2] The Presbyterians expected favours from Lauderdale; and he kept them guessing about their actuality and extent.

[3] *Lauderdale Papers*, II., p. 241.

[4] *History*, p. 224.

Sir George Mackenzie says that at the opening of Parliament "the Duchess of Lauderdale caus'd place some chairs for herself and some ladies who were of her train, and from these" (the chairs, not the ladies), "she heard her husband's speech; a new practice that raised great indignation. No Scots queen had ever attempted what she aspired to."[1]

As the result of this assumption of royalty, the Duchess was freely criticised in "plain Scots" by the nobles, and (one may suppose), with still greater vehemence, by their wives. "Is not this the daughter of Will Murray, the whipping-boy of Charles the First?" they said (in effect) to one another, "and was not her father the son of the minister of the parish of Dysart, in Fife?" And thus "the malice grew daily against her," owing to her interference in political affairs. "We have now two Commissioners," was the bitter comment.[2]

Married to one of the most brilliant women in Great Britain; newly created a Duke, and decorated with the Garter; his influence in the Cabal at its height, and his favour with the King at its zenith; Lauderdale was probably more uplifted in the summer of 1672 than he had ever been before, or ever was again. "He treated all people with such scorn," says Burnet, "that few were able to bear it."[3] The sensitiveness of the Scots nobles was not proof against such an exhibition of haughtiness. But they feared Lauderdale as they feared no other Scotsman, for no Scotsman (or perhaps Englishman) had the ear of the King like his Commissioner. The Scots nobles knew this well; and Lauderdale knew it still better. Therefore, when the Commissioner came down to Parliament with a demand for a whole year's assessment as Scotland's contribution towards the cost of the Dutch war,[1] they were indignant, but powerless. They were without a leader or policy, and lacking both, they were as children before their tutor. In this dilemma, they turned to the Duke of Hamilton (a possible claimant, in certain contingencies, to the Scottish Throne),[2] as the most likely leader to give cohesion to any opposition they might organize. Lauderdale was told by Gilbert Burnet of the threatened revolt, but his reply was, "they durst as soon be damned as oppose him." Yet he recognized the wisdom of treating the threat seriously. He desired the Earl of Atholl to speak to Hamilton (Burnet to be present at the interview), with the object of dissuading him from any antagonistic attitude towards supplies. Atholl plied Hamilton with arguments, and succeeded in persuading him that it would be in his interest to concur in the land-tax. But Hamilton had "conscientious scruples." He urged (justly enough) that Scotland had nothing to gain either by the war (but much to lose), or by the peace, when made. But his scruples were overcome by a promise that he would have the chief direction of affairs under Lauderdale, and (an added bait), the King would not forget the poor Scots nobility if they supported him in his intention to destroy Parliamentary government in England. So much for the "patriotism" of the Duke of Hamilton, the future leader of the opposition in the Scots Parliament! He was an honest patriot up to a point, but that point was reached when his patriotism clashed with his own interests, or those of his class. The Scots nobility were as proud as they were poor,[1] and as class-conscious as they were place-seeking. They were inclined to put their class before their country, and themselves before their class. Burnet describes Hamilton (and Burnet was his particular friend) as a "rough and sullen man, but candid and sincere." His temper was "boisterous, neither fit to submit or govern." He "seemed always to have a regard to justice and the good of his country; but a narrow and selfish temper brought such an habitual meanness on him, that he was not capable of designing or undertaking great things."[2] Unpromising material, truly, for the leadership of a party!

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[1] *Memoirs*, p. 220.

[2] *Ibid.* p. 220. Perhaps Scottish opinion of Lauderdale's marriage may have been fairly represented by Kirkton's remark (p. 315) that Lauderdale had married "his old miss . . . and such marriages are never to be blessed."

[3] *History*, p. 224.

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[1] In 1672 Scottish recruits were obtained for the English navy. These included some Highlanders who (it was discovered after they had joined) "cannot speak a word of English" and were therefore found "unfit to serve the King at sea." (*Cal. of State Papers Dom. Ser.* 18th May-30th September 1672 p. 151). Gaelic (or "Irish" as it was called) was spoken over a much wider area in Scotland in the seventeenth century than it is at the present day.

[2] In 1678 when Hamilton was in London protesting against Lauderdale's administration, the King made a sly allusion to the Duke's claim to the reversion of the Crown of Scotland.

He was a son of the Marquis of Douglas and was created Earl of Selkirk in 1646. On the petition of his wife—who was a daughter of the Duke of Hamilton of the "Engagement," and the heiress of the Duke's brother who fell at Worcester—Selkirk was created in 1660 Duke of Hamilton for life. By education a Romanist, he changed his religion to please (or obtain) his wife. Until he succeeded in the design, his main object in life was to recover the Hamilton estates from the debt-ridden condition into which they had fallen, owing to their forfeiture by Cromwell. He supported Lauderdale in opposing the establishment of Episcopacy in Scotland, but in 1667, became estranged from him, through the influence of the Countess of Dysart, who disliked him. Four years later, the two men were reconciled by Burnet, but their friendship was of short duration, and Hamilton became Lauderdale's bitterest political opponent in Scotland.

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[1] The poverty of the Scots nobility of the Restoration period is strikingly illustrated by some particulars of their incomes given by Wodrow. He states that half of the nobility were "so generally broken" as to be bankrupt; and as to the other half, not thirty were worth £500 per annum of free estate. Their decay and poverty, he says, made them "obnoxious to the will and pleasure of the favourite" (Lauderdale) as being "useless and unprofitable to King and country" (II. p. 229).

[2] *History*, p. 71.

They had become political foes by the time the Commissioner opened the memorable Parliament of 1673.[1] In the interval between that and the previous session, Hamilton had recognized that the tempting promises held out by Atholl were not likely to be fulfilled, and he was now ready to assume the leadership of the opposition. Meantime, the spirit of revolt had inspired concerted action. By the haughtiness of their carriage, Lauderdale and his wife had increased their unpopularity, and the Duchess had "set herself by all possible methods to raise money."[2] "They lived at a vast expense" (says Burnet), "and everything was set to sale. She carried all things with a haughtiness that could not have been easily borne from a queen. She talked of all people with an ungoverned freedom and grew to be universally hated."[3] And her husband, who seems to have been completely under her domination, shared in her unpopularity. Even his old and trusted friend, Tweeddale, was now against him. By his talent, as a statesman, and his honesty as a man, Tweeddale (as Lauderdale well knew) was his weightiest opponent. Chancellor Rothes, another member of the opposing quartette who led "the party," was lacking not merely in education, but in personal and political sobriety.[1] But he could tell a good story; and even reformers like to be Amused. The Earl of Queensberry, the third member of the "junta" formed against Lauderdale, showed a remarkable aptitude during Lauderdale's Administration for making the best of both worlds. In later years he betrayed an undisguised tendency, during his tenure of office, to accentuate the misgovernment which he had formerly condemned. These, with Hamilton, were the principal "rebels" in the Parliament of 1673. It is difficult to acquit them of Sir George Mackenzie's charge, that, in common with the herd that followed them "upon hopes of preferment, or for fear of being smother'd under the ruins of so great a man," (Lauderdale); in common with the Advocates who opposed him for regulating their fees; and in common with the Royal Burghs that were displeased with him for legislating against their trading monopolies; they were actuated by personal rather than public motives.[2]

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[1] There is an interesting account in *Nicoll's Diary* (pp. 401-2), of the imposing ceremonial used in the opening of Scottish Parliaments at this period.

[2] Burnet, p. 225. However divergent their views on other matters, contemporary writers are agreed on the avarice of the Duchess: "a ravenous cormorant appetite," Sir John Dalrymple calls it.

[3] *History*, p. 225.

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[1] Hamilton was a boon companion of Rothes, whose example as a champion drinker he found it difficult to resist. He had to be rebuked for his feats with the bottle, but promised amendment. Kirkton calls Rothes a "pleasant" man, but shakes his head over his indecent gallantries. It need scarcely be added that Rothes was a prime favourite with the King. (See Sir Robert Moray on Hamilton's drinking habits). He adds that "from lubricity I cannot vindicate him" (*Lauderdale Papers*, II. p. 39).

[2] *Memoirs*, p. 251. The ostensible reasons that actuated this opposition to Lauderdale will be given in their proper place. Probably in each case the motives were mixed: public and private. It is sometimes difficult to disentangle them.

For Tweeddale's defection, Lauderdale himself was responsible. Foolishly yielding to his wife's sneers that he was under Tweeddale's "tutory," he allowed himself to entertain a feeling of jealousy against his best friend, who was gradually forced into the arms of his enemies. The substitution of Lauderdale's brother, Charles Maitland of Halton (Lord Halton)[1]—"a brutall rascall" Queensberry calls him, who made more trouble and enemies for Lauderdale and the Duchess than "he and all the Maitlands on earth were worth"—was a poor exchange for an adviser of proved fidelity like Tweeddale. In order to "spite Tweeddale rather than to please Halton," the Duchess tried to make a match between her eldest daughter and Halton's son; an honour which the latter successfully evaded. Lauderdale's only child was married to Tweeddale's son and heir, Lord Yester; and questions connected with the reversions to the Commissioner's estate, served to intensify the rancour of the Duchess against her husband's friend, and to stimulate her outstanding propensities for arranging good matches for her daughters. She succeeded in marrying one of them to Lord Lorne, Argyll's heir, and did her best to marry another to the heir of the Marquis of Atholl, but (says Wodrow drily) that project "misgave."

The Advocates had previously laid themselves open to the charge of what Lauderdale called their "fantastick whimsies" in matters of professional etiquette, and later on, they were made to feel the weight of his heavy hand in more important concerns. The Burghs were scandalized by the favour shown to Sir Andrew Ramsay, the Provost of

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[1] He was made a Lord of Session in 1669, though he had not been bred to the law.

Edinburgh, as a recompense for his consistent support of the Commissioner. Lauderdale and Ramsay played into the hands of one another in a most engaging fashion. When it was proposed, in 1669, to abrogate the exclusive privileges of the trades of the Royal Burghs, "whereby the ignorance and unskilfulness of workmen is transmitted to posterity without any possibility of reformation," Ramsay opposed the reform in order to please the Edinburgh trades, "who are absolute disposers of the Magistracy," and Lauderdale supported him in order to influence the votes of the Burghs.[1] "And thus the public good," laments Sir George Mackenzie, "is made subservient to the meanest interests, and is over-ruled by the most inconsiderable and unworthy persons."[2] Ramsay was elected Provost of Edinburgh ten times, and aimed apparently at being a "constant Provost." He got £10,000 for Lauderdale for civic favours, and, on his part, Lauderdale secured for Ramsay an annuity of £200, together with £4000, "on his comprising of the Bass, a rock, barren and useless," of which the Commissioner had been appointed Keeper. Such were the means employed by Lauderdale for securing votes in Parliament. But the ugly spirit displayed by the Burghs' representatives in 1673, showed him that their votes could no longer be depended upon.

The hostile spirit shown by the different factions in Parliament had to be placated. More money was needed to meet the expenses of the struggle with the Dutch. War had been declared in March

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[1] As Provost of Edinburgh, Ramsay was the president of the Commissioners, and had the leading vote in Parliament for the Burghs.

[2] *Memoirs*, p. 177. Sir George makes some pungent remarks on the trades unionism of his times. The latter has a strangely modern look, for human nature is unchanging.

1672, and there was still no sign of peace. At the opening of the Scottish Parliament in June 1672, the Commissioner strove hard to justify the breach with the States. They had received ambassadors from the murderers of Charles I.; they had banished Charles II. and his brother after the battle of Worcester; they had broken the peace of Breda (1667); they had permitted the printing of libels and scandals on the British King; and they had violated the respect due to the British flag. It was necessary, he urged, to prepare against invasion or intestine commotion, and thus secure the safety of the Kingdom.[1]

In the Parliament of 1673, Lauderdale blamed the Dutch for peace not having been reached. The enemy, he declared, would not state their terms. "Nay, they gave in papers in such unhandsome language that the mediators (the Swedes) refused to shew them."[2] Therefore the King was forced to continue the war.[3]

On a Scots Parliament which had to find money for a war, which concerned them only as subjects of a King, whose private interests and whose personal sympathies and antipathies it was designed alone to promote, and a war, moreover, against their best customers, the Dutch, all the rhetoric of Lauderdale was wasted. The sympathies of the members were with the Protestant Dutch rather than with the Catholic French. Their national pride had received no shock when, in the last war, the Dutch took Sheerness, sailed up the Medway, burned three ships of war, and captured the "Royal Charles." The insult had rankled in the mind of Charles and had humiliated the English nation, but the humiliation was not shared by their northern neighbours. In Scotland, little or nothing was known of the underground negotiations which had resulted in the disgraceful repudiation of the Triple Alliance, and the nefarious war with the innocent Republic. All the Scots knew was that they were asked to pay heavily for a war they had no share in making, a war which they would have no share in ending, and a war which threatened to ruin their trade.

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[1] *Cal. of State Papers Dom. Ser.*, 18th May-30th September 1672, p. 209.

[2] *Ibid.*, 1673-5, p. 16.

[3] It is interesting to observe that in June 1673, on complaints from Sweden and Poland of breaches of neutrality, Lauderdale lays down the law to the Senators of the College of Justice in Edinburgh as follows:—"No ally can claim any benefit from the Treaty of Breda, when they carry provision of victual or other contraband goods to enemies parts or when they have enemies goods on board." (*Cal. of State Papers Dom. Ser.*, 1st March-31st October 1673, pp. 411-2).

To Lauderdale, who was intimately associated with the foreign policy of the Court, this attitude may have seemed too parochial to merit consideration. He was aiming — so Burnet asserts — at getting the management of English affairs into his hands.[1] His credit at Court was largely based upon the belief that he held Scotland in the hollow of his hand. If he could not manage a few Scottish lords of Parliament, he could scarcely hope to convince Charles that he was capable of solving, with success, the incomparably more difficult problem of finding means to bend a stubborn House of Commons to the King's will. His patriotism as a Scot was now showing itself in the form of exalting his native country, by means of a reflected glory. His ambition had grown with his power, and the imperiousness of his temper with the vast-ness of his aims. His marriage seems to have had the effect of obliterating whatever limits he had previously placed upon his aspirations. It was the old story of unrestricted power weakening moral fibre. There is undoubted evidence of gradual deterioration in Lauderdale's character after his marriage. Whether (as Burnet and others suggest) it was due to the influence of his wife, or to the demoralizing associations of the Court, or to both, the fact itself is made patent by his actions.

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[1] *History*, p. 188. There can be no question that he exercised a secret influence over English affairs, to which perhaps insufficient weight has been attached. The "Country" party in the House of Commons were well aware of his carefully veiled but active interest in their domestic politics, hence the virulence of their attacks upon him.

The opposition to Lauderdale's financial proposals in the Parliament of 1673 collapsed, by reason of its very ineptitude. The line taken by Hamilton and his colleagues illustrates the state of timidity to which the Scots Parliament had been reduced. What had become of the sturdy spirit of independence which had, in former years, characterized the Estates? Sapped by the poverty of the nobles, who had degenerated into a mob of place-seekers, it had been almost eliminated by jerrymandered elections, and by tyrannous Articles. And what was left of it was dominated by the menacing temper of a burly Dictator.[1] It was useless to try to focus effective opposition on the argument that Scotland had no voice in shaping the foreign policy of the country. That would have been a strange plea to urge in the reign of Charles II. But one member (Sir Francis Scott) had the courage to denounce the war with the Dutch, while another (Hume of Polwarth, afterwards Earl of Marchmont) attacked the constitution of the Articles, and moved for a debate on the question whether or not they were a free Parliament.[1] These were genuine grievances upon which the leaders of "the party," (as the Hamiltonians came to be called) should have founded their attack if they had wished to place their patriotism beyond question. But instead of concentrating upon these essentials, which were left to the rank and file of "the party," Hamilton missed his opportunity. He called for a redress of grievances before the King's letter was answered. And of these grievances he placed the salt, tobacco, and brandy monopolies in the forefront.[2]

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[1] Emphatically the Hamiltonian members of the Scottish nobility were willing to wound yet afraid to strike. The following satirical lines by a Scottish noble (the Earl of Aboyne) illustrates their attitude towards Lauderdale :—

> The Sceptre and the Croun
> With the gospel and the Goun
> Are now turned all to confusion
> The Hector of State is the rascall we hate
> And his plots we will treat in derision.

The "Hector of State" is good! (*Hist. MSS. Com. Rep.* II. p. 180).

Lauderdale saw through the tactics of the opposition without difficulty. He "dished the Whigs" effectively. He adjourned Parliament, and after a series of conferences with the obstructionists, offered to surrender the monopolies.[3] Writing his brother, Charles Maitland, who was acting as his deputy at Court, he mentioned that Tweeddale, "who was the father and mother of the pre-emption of the salt, is now the great haranger against it." He was assured by his friends that his surrender of the monopolies will "let the world see it is not the ease of the country, but something else which they are driving." And that "something else," as he well knew, was his political destruction.

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[1] *Lauderdale Papers,* II. pp. 242-3.

[2] The Earl of Kincardine, Lauderdale's lieutenant, had received a grant of the salt monopoly. He surrendered the lease "most handsomely." (*Lauderdale Papers,* II. p. 244). But he got £2000 for relinquishing the monopoly (*Cal. of State Papers, Dom. Ser.* (1673-5), p. 310).

[3] On 26th November the King confirmed Lauderdale's offer. (*Lauderdale Papers,* III. p. 1).

On the constitutional question he was inflexible. He told the complainants that he would "maintaine the way of the Articles as long as I lived, in all capacities."[1] To amend the constitution of the Articles would be the most fatal blow to his ideal of absolutism that could be conceived. It would be kicking away the buttress he had raised in defence of autocracy. On that point, no compromise was possible, and any hopes that might be entertained of surrender on his part were illusory. Economic concessions, yes: constitutional changes, never. And in the end, he got his way as usual. Beaten on the one hand by his tactful consent to their wishes on a comparatively trivial question, and on the other hand, by an unyielding firmness on a question of momentous importance, the "party" sullenly acquiesced in their defeat, and came to heel once more. They were completely cowed by the masterful tactics of the uncrowned King.

Lauderdale was well aware whose was the guiding hand that had given the malcontents their newly-found vitality and cohesion. The hidden hand was that of Shaftesbury. The revocation of the Declaration of Indulgence in England—Lauderdale had ineffectively pleaded with the King to stand firm in opposing the Commons—was the signal for Shaftesbury to look to his political safety. His flirtation with the "Country" party opened a breach in his relations with the Court which gradually widened. At the very time that Lauderdale was fighting the opposition in Scotland, Shaftesbury was deprived of the Chancellorship in England. When the news reached Edinburgh, that Shaftesbury was no longer Chancellor, Lauderdale "bore it with great moderation," but he could

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[1] *Lauderdale Papers,* II. p. 246.

"easily read in divers countenances what operation it had."[1] Writing to the King on 20th November he says:—"I have great reason to beleev the E. of Shaftsburie plotted long ago to get me out of this imployment."[2] On 1st December, when reporting progress to Charles, Lauderdale remarks that he has had no easy task to put down the revolt—seeing "it was advised and fomented at London *yow know by whom*"[3]; and in another letter he writes, "Yow know how a designe was laid to blast the reputation of mee to yow and interrupt yo^r^ service heir. Yow know who designed and fomented it at London."

Shaftesbury was now fishing in drumly waters. There is no reasonable ground for doubting the correctness of Lauderdale's accusation against him, for it is confirmed by other sources of information.[4] The net was slowly but surely closing around Lauderdale. But for some years longer, he broke through the meshes just when his enemies believed they had caught him at last.

Law, the historian (an "outed" minister) has left the following statement on record:—

"There is one thing remarkable, that when the Duke of Lauderdale was in his greatest trouble at Edinburgh, and both Parliaments of England and Scotland set against him so that all men considered he was undone, I knew a man that had this vision of him, that he saw Duke Hamilton ushering him into a room, and that the said Duke of Lauderdale had by far greater honour there than Duke Hamilton."

The vision was prophetic. A common bond

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[1] *Lauderdale Papers*, II. p. 245.

[2] *Ibid.*, III. p. 16.

[3] *Ibid.*, III. p. 3 (italics mine).

[4] See Mackenzie's *Memoirs*, p. 263.

united Hamilton and Shaftesbury: hatred of Lauderdale, and a common aim directed their counsels: his political ruin. Shaftesbury was as little concerned with persecuted Covenanters in Scotland as was Hamilton with Popish plots in England. They were politically useful to one another in achieving a common end. But its achievement was delayed longer than they anticipated.

CHAPTER XX

The news of the Hamiltonian revolt against Lauderdale gave satisfaction to his enemies in London, but did not dismay his friends. "I have had too long experience of your abilities and faithfullnesse to serve me," wrote the King to his Commissioner, "ever to change from being your true frinde."[1] On his part, Lauderdale assured Charles that "yow know Scotland exactly and how to governe Scottish men better than any body alive,"[2] a groundless claim which the King was never tired of asserting. The Duke of York congratulated Lauderdale on defeating the designs of his enemies, including the "great man that reported here you had been afronted the first day of your parl: sitting." Prince Rupert too, assured the Earl of Kincardine, whom Lauderdale had sent from Scotland, that he knew the Commissioner to be "both an honest man to the King and an able and wise man," while the Earl of Oxford told Kincardine that he knew Lauderdale to be "a worthy and a generous man and one that had served the King well, and that those who envyed any that had the King's favour or that served the King faithfully were your (Lauderdale's) enemies." As for him (he exuberantly declared) he would serve Lauderdale "with his life" if it could be of use to him. Summing up: "it would require a volume," said Kincardine to Lauderdale, "to tell all that I have of this subject from a great many persons of quality and worth."[1]

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[1] *Lauderdale Papers*, III., p. 13.

[2] *Ibid.*, III., p. 9.

All this was heartening, as it was meant to be. Lauderdale's admirers, like himself, were ultra-loyalists; with them the test of political merit was to serve the King well, and the height of political bliss was to enjoy the King's favour. It was not the Court party alone that had formed this estimate of the acme of human happiness; the sentiment was shared by many who envied, while they slandered, the elect. There was a scramble for the friendship of Charles. Inclusion in his circle meant life; exclusion meant mere existence.

Kincardine, slow equally of thought and speech, but solid, shrewd, and completely honest, was in high favour with Lauderdale, who sent him from Edinburgh to London, with the view of protecting his influence at Court. It has been shown with what success his efforts were attended. Also, the Commissioner had a warm supporter in the Earl of Danby, who, as Sir Thomas Osborne, got Clifford's post as Treasurer when the Test Act thrust him and the Duke of York out of their appointments. Stringer, Shaftesbury's secretary, calls Danby "a bold undertaker, a brazen liar, a violent prosecutor of malice and revenge,"[2] epithets of party rancour that were characteristic of the Carolean period. The alliance between Danby and Lauderdale, which supervened upon the collapse of the Cabal, threw the Scottish statesman into the arms of Sheldon and Morley.[3] Till then a state of open or veiled hostility had existed between them. The Bishops kept an eye on the ex-Covenanter, for, in spite of his asseverations, they never knew when he might attempt the destruction of their Scottish brethren. And their Scottish brethren, by means of the two Archbishops, took good care to maintain a constant correspondence with them. But friendship with Danby connoted friendship with Danby's allies; therefore Lauderdale found it in his interest, henceforward, to cultivate Canterbury and London.

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[1] *Lauderdale Papers,* III. p. 20.

[2] Christie's *Shaftesbury,* II. p. 34.

[3] Sheldon and Morley were the uncompromising opponents of comprehension or (as it was called in Scotland) accommodation in the Church. They were outstanding types of the ecclesiastical statesman who subordinates Christian charity to Church policy. Danby allied himself with them and found, later on, that their yoke was not an easy one.

While he was building up a fence in England to protect him from his enemies, the leaders of the "party" in Scotland were just as active in attempting to pull it down. A deputation of the "party," consisting of Hamilton, Tweeddale, and Lieutenant-General Drummond,[1] hurried to London in December 1673, to put their case before the King. Lord Yester, Tweeddale's son (Lauderdale's son-in-law) was in London early in December, and succeeded in obtaining an interview with Charles, to whom he put the case of the Scottish opposition.[2] But he received small satisfaction from the King; and at the end had to acknowledge that he was "a little dasht" by his reception. The fact that Lauderdale had declared his intention of diverting his estate from his daughter, Yester's wife, prejudiced, from the outset, the impartiality of Tweeddale and his son. Charles told the latter that he should be careful of listening to the representations of people "who would be for making that Kingdome (Scotland) a province to the republick of England." This was a shrewd hit at an agitation which, if allowed to take the same course as the Scottish revolt in the reign of Charles I., might (such was the suggestion) yield a similar result. It was a favourite point of view of Charles II., who argued that autocratic government by himself was better for the Scots than subjection to an English Commonwealth. Also, interference by English politicians in Scottish affairs was so strongly resented, not merely by Lauderdale and his group of Scottish supporters, but by many who were opposed to him, that the Hamiltonians had to tread very warily to avoid arousing national resentment against any truckling with Shaftesbury and his friends.

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[1] Afterwards Earl of Melfort. He and his brother, the Earl of Perth, turned Roman Catholics, persecutors, and political jobbers under James II.

[2] Lauderdale suspected that the true object of Yester's mission was to help in supplanting him by means of the Duke of Monmouth, "who refused to meddle in it." (*Lauderdale Papers*, III. pp. 16-17). He tells the King "I was never ambitious of this service." (*Laud. Papers*, III. p. 17).

Lauderdale was thus on firm ground, from several standpoints, in dealing with the "faction," and he used his advantageous position with skill. But unfortunately for himself, he was entirely lacking in the art of bridling his tongue, perhaps because (as Clarendon and Burnet assert), it was too large for his mouth. He "knew not" (says Mackenzie *pace* Clarendon) "what it was to dissemble."[1] He made no secret of his contempt for the House of Commons; and the Commons carefully noted the fact. In his unguarded moments, he made use of phrases which afterwards formed useful material for his impeachment. The rough and caustic phrases in which he expressed his disdain for the Commons, earned for him from his enemies the *sobriquet* of "a foul-mouthed Scot,

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[1] *Memoirs*, p. 182. In political affairs, no one knew better "what it was to dissemble": of that there can be no question. Yet there is a bluntness of expression in Lauderdale's letters which gives colour to Mackenzie's statement, if regarded as a tendency of character. Certainly he could use a mode of speech which left nothing to be desired in directness.

Master of the Prerogative Office," and he was included in what they called "the great triumvirate of iniquity, Buckingham, Arlington, and Lauderdale."[1] His political indiscretions were seized upon with avidity to effect his ruin. One of his statements, at a meeting of the Privy Council of England, was that "the King's edicts were to be considered and obeyed as laws" and "more than any other laws." "This" (says Burnet) "was written down by some that heard it, who were resolved to make use of it against him in due time."[2] And Burnet himself was responsible for disclosing statements made by him in the course of private conversation.

The relations between Gilbert Burnet and Lauderdale were sufficiently remarkable to merit some detailed attention. When a youthful minister (of Saltoun) Burnet had acquired notoriety in Scotland by his outspokenness against the Scottish Bishops. He was marked for early promotion by Lauderdale, whose views about the prelates coincided with his own. He became Professor of Divinity in Glasgow University, and he was an earnest and powerful coadjutor of Leighton in the attempt that was made to reconcile Episcopacy with Presbyterianism. When the negotiations were broken off, "to the great joy of Sharp," no one regretted the failure more than Burnet.

When he came up to Court in 1671, Lauderdale showed him great kindness. He read the

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[1] *Cal. of State Papers Dom. Ser.* (1673-5), pp. 130-1.

[2] *History*, p. 225. A few years later, when the reactive tide of loyalty was at its full, a sentiment like this would have been a commonplace. Compare Sir Robert Filmer's statement (*Patriarcha* published in 1685) that "a man is bound to obey the King's command against law, nay, in some cases, against Divine laws." Compare, also, Sir George Mackenzie's *Jus Regium* (pub. in 1684) with its unblushing defence of absolute monarchy. About the same time the University of Oxford published its notoriously reactionary twenty propositions (publicly burnt in 1709 by an order of the House of Lords).

MS. of his *Memoirs of the Dukes of Hamilton* to Lauderdale, and the latter suggested certain additions relating to himself, which the historian admits having adopted.[1] "I found," says Burnet, "another degree of kindness and confidence from him after my coming up than ever before." He had nothing to ask for himself, "but to be excused from the offer of two bishoprics."

We need not inquire too closely into the motives that prompted Lauderdale to load his young fellow-countryman with favours; or to consent, as he did, to Burnet becoming the vehicle of favours sought for and bestowed upon poor "suitors." Burnet was soon disillusioned about Court favours. He saw "such a spirit of violence and injustice and such a ravenous sale of all things among them," that he "came to abhorre their methods."[2] Lauderdale would not have been the ultra-patriotic Scot that he was, if he had not wished to hold out a helping hand to any fellow-countryman in London who deserved his assistance. Whether the favour he showed to Burnet was due to friendship for his father (as Sir George Mackenzie asserts), or whether the statesman expected a political *quid pro quo* from the Professor, need not be discussed. But the only request made by Lauderdale that is recorded by Burnet was, that he should break with Sir Robert Moray, whom Lauderdale, under the influence of Lady Dysart, now regarded with aversion.[3] To his credit, Burnet refused to accede to the request; and it was not pressed as a condition of continued favour. With the lack of caution so uncharacteristic of a Scot, that frequently marked Lauderdale's actions, he "trusted" Burnet "with all secrets and seemed to have no reserves with me." His confidence, as we shall see, was misplaced.

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[1] *Supplement to Burnet's History*, p. 479. [2] *Supplement*, p. 482.

[3] Moray (a more accurate form of the name "Murray," and a form used by Sir Robert) died on 4th July 1673. He was buried in Westminster Abbey. As one of the founders and the "soul" of the Royal Society, he was identified with scientific research. He seems to have been a man of great charm, and his intellectual gifts were both varied and conspicuous.

Burnet came up to London again in 1673 to arrange for the publication of the *Memoirs*, Lauderdale's interest in which was undiminished. He took the author to the King to arrange for licensing the publication; and the King subsequently went to hear the author preach. "He seemed well pleased with my sermon, and spake of it in a strain that drew much envy on me," remarks Burnet complacently.[1] Charles made him one of his chaplains, and the dauntless Scot very soon improved the occasion by lecturing him on his sins; a reproof which the King accepted with his customary good humour. Charles summed up his philosophy of religion by remarking that "God would not damn a man for a little irregular pleasure"; and he continued to let the light of his countenance shine on the man who was bold enough to tell him that he was a sinner. With the Duke and Duchess of Lauderdale, also, Burnet "used all freedom," for he had gone to London with the full intention "to deal very plainly with the Duke." "But" (says Burnet) "he was so drunk with his prosperity that he despised everything that was said to him."[2]

In one of their private conversations on affairs in Scotland, Lauderdale asked Burnet's opinion whether, if the King needed an army from Scotland "to tame those in England," the Scots could be depended upon to march. "Certainly not," was the reply; and sound reasons were given for the opinion.

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[1] *History*, p. 236.

[2] *Supplement*, p. 482.

The Duke was of another mind: "the hope of the spoil of England," he thought, "would fetch them all in." But Burnet held his ground, and added that the revocation of the Declaration of Indulgence in England, had shown even the fortune-hunters in Scotland that the King could not be trusted. *Hinc illæ lacrymæ* was Lauderdale's rejoinder. Lord Clifford and himself, he said, were the only counsellors who had not forsaken him in that matter; and as for Shaftesbury——!

It was during another of those confidential conversations (apparently in 1672) that Lauderdale, in a sudden outburst of rage, made use of a phrase which was afterwards employed by his enemies as a handle against him. A man named Carstairs was captured in a ship from Rotterdam. He escaped, but his papers fell into the hands of the authorities. They were of a clearly incriminating nature, for they disclosed a correspondence between Holland and Scotland which showed that the Dutch were ready to supply the Scots with arms and other necessaries, if they could cause trouble to the Government. This disclosure gave a plausible excuse to the Administration for a furious drive against conventicles, which they regarded as the nurseries of rebellion. But the purity of the Government's motives was rendered suspect by the mercenary aims of the agents of suppression, who exacted heavy fines from the unfortunate victims of their persecution. ("Lord Athol" says Burnet, "made of this in one week £1900 sterling."[1]) Burnet remonstrated with Lauderdale on the impolicy of this severity. "Was this a time," he asked, "to drive the people into rebellion?" "Yes," said Lauderdale, "would to God they would rebel," that so "he might bring over an army of Irish Papists to cut all their throats." If the tortoise would only put out its head, he would cut it off.

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[1] *History*, p. 226.

This was nothing more than the incautiously petulant and characteristically vigorous expression of impatience with the conventiclers by a harassed statesman, whose main object, at that juncture, was to convince the Court that he had all Scotland in his pocket. But having in view the prevalent state of public feeling in England against Romanists, he could scarcely have used a phrase more likely to inflame the opinion of the House of Commons against him. Yet he felt safe in the belief that his confidence would be respected by a clergyman whom he believed to be a gentleman, and a fellow-countryman whom he had loaded with favours. The sequel showed that he had over-rated Burnet's sense of honour, or his capacity to keep a secret. For in 1675, when the Commons fell upon Lauderdale with more than customary violence, Burnet was examined before a Committee, to give evidence on a statement about arming Irish Papists, attributed to the Duke. Clearly "Gibbie" had been gossiping, else how could anything have been known about Lauderdale's outburst? Burnet admitted that he "as well as others" (no names) had heard the Duke use the expression about Irish Papists and throat-cutting. He was then questioned about Lauderdale's design of bringing a Scots army into England, the question betraying the fact that the witness had also been gossiping about the conversation in which the Duke discussed the project. But realizing the shame of betraying confidences so unblushingly, Burnet refused to give evidence on that point, until he was compelled to answer at the Bar of the House. He saw, when too late, the ignoble position in which he had placed himself by his overweening vanity, and he had the grace to plead that "Duke Lauderdale was apt to say things in a heat which he did not intend to do."[1] That was the real explanation of the "throat-cutting" expression. As for the employment of a Scots army to overawe the English opponents of the King, it is scarcely credible that a man of Lauderdale's sagacity and experience could have made the suggestion seriously. Was he testing "Gibbie's" sense of humour? Certainly, with the exception of some vague allusions to a Scots army that would go anywhere, and do anything for the King (the mere rhetoric of loyalty), there is not a grain of evidence to show that Lauderdale ever made even a preliminary move to send an army to England to assist the King. But it was not a fair trial that the House of Commons wanted. What they wanted was any evidence of any nature, and from any source, that would form a plausible excuse for driving Lauderdale out of public life. The House of Commons did not understand Scotch jokes.

"I was much blamed," says Burnet, "for what I had done." And with good reason. But his charming ingenuousness—"I must leave myself to the censure of the reader"[2]—almost disarms criticism. "It was a great error in me to appear in that matter,"[3] he frankly admits; and there is nothing more to be said. It is unfortunate for Burnet's reputation that when he gave evidence against his former patron, the breach between them had become irreparable; for those who wished to ascribe unworthy motives to his action had no difficulty in finding good ground for their charges. But Lauderdale had his swift and effective answer. He printed and distributed a thousand copies of a fulsome dedication to himself, which Burnet had published in his *Vindication of the Constitution and Laws of the Church and State of Scotland.* The "noble character" and "princely mind" of Lauderdale, which the author holds up for the admiration of his readers in 1673, had somehow vanished in 1675![1] It was in 1673 that one first discovers a rift in the lute. For in that year,[2] Lauderdale writes that Hamilton desires "brouillerie," and to make "himself popular, which he seems to take for the way to be a great man, and I am sure he brags what great friends he hath at London, and I much doubt that Mr Burnet hath contributed much to the puffing him up."[3] Lauderdale, in fact, had now come to the conclusion that Gilbert Burnet was a mischievous busybody, who was in league with Hamilton on the one side, and Shaftesbury on the other, to obstruct him. That Burnet meddled with politics is clear by his own admission, for he says that he had been "carried too far, especially since I had declared much against clergymen meddling in secular affairs, and yet had run myself so deep in them."[4] The conviction that Burnet was acting against him caused Lauderdale to "rail" at him as a political meddler, and to turn the King against his chaplain. The Court, as Burnet admits, would have nothing more to do with him after his breach of confidence in 1675.

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[1] *History*, pp. 252-253.

[2] *Ibid.*, p. 253.

[3] *Supplement*, p. 484. According to Richard Baxter, Burnet's testimony was judged "unsavoury and revengefull."

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[1] Burnet had his dedication to Lauderdale cancelled in as many copies as he could lay hands on. (Note in Kirkton, p. 193).

[2] Letter to Charles Maitland 13th November (*Lauderdale Papers*, II. p. 244).

[3] *Lauderdale Papers*, II. p. 244.

[4] *History*, p. 253. "Ministers of the Gospel," says Law sententiously (in reference to Burnet's action), "should be peacemakers and not strife incendiaries and fomentors." (*Memorialls*, p. 69).

But we are anticipating. We left Hamilton and his colleagues, in December 1673, trying to make out a case at Court against their powerful antagonist. Charles "received them coldly" and finally sent them back empty-handed and disconsolate. "He told them," says Mackenzie, "that he would not suffer his servant to be torn from him either by billeting as Middleton had done, nor by cabals amongst such as design'd to succeed him."[1] (A shrewd hit!) And yet, if Burnet is to be believed (it is quite credible), Charles was ready to throw Lauderdale to the wolves, if, by so doing, he could have induced the House of Commons to grant him the supplies he required.[2] While in London, Hamilton and his friends were in daily communication with Shaftesbury and other malcontents.

"In the meantime," says Burnet, "Duke Lauderdale took all possible methods to become more popular." He "connived at the insolence of the Presbyterians," made up a quarrel with his old friend, Argyll, and took into his chief confidence Sir James Dalrymple (afterwards Viscount Stair), President of the Court of Session, both of them pillars of the Presbyterians, though Argyll's Presbyterianism was rather equivocal.[3]

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[1] *Memoirs*, p. 263.

[2] *History*, p. 245.

[3] Sharp told Argyll on one occasion that "though I (*i.e.* Argyll) was Presbiterian, I caried myself to bishops like a gentleman." The Earl "knew not what he meant by calling me Presbiterian." Sharp thereupon "excused that." Argyll explains: "I was a whill bred under Presbitery but I had beene in other parts of the world wher Church Government was not made so greate a mater of as by some in this country." He "took it not well to goe under names." (*Letters from the Earl of Argyll*, Bann. Club, pp. 62-3).

Dalrymple told the Presbyterians that if they supported Lauderdale, they would recover the King's favour. "This wrought on many of them."[1]

Ecclesiastical affairs in Scotland had been moving erratically during 1672-4. In the former year, when he came down to Scotland in magnificent style, Lauderdale had expected that the Presbyterians would petition for liberty of conscience, similar to that granted under the short-lived Indulgence in England. He was furious at their passive attitude, when they made no move in the direction he desired.[2] They were afraid, suggests Burnet, that the Court meant to use them for the introduction of Popery; but the suggestion seems far-fetched. They were simply living up to their motto of "Touch not, taste not, handle not." Conventicles abounded, and "rabbling" of "curates" was frequent. These unfortunate clergymen, better fitted to tend herds of cattle in the Highlands than to tend flocks of theologians in the Lowlands, were the victims, not merely of ecclesiastical zealots, but (so Wodrow asserts) of ordinary criminals masquerading as Covenanters. Then came the scare from Holland (the Carstairs business) and the resultant severity against frequenters of conventicles. The relaxation of that rigour was the next phase, and any slackness against conventicles irritated the prelates. Favour shown to one side produced resentment on the other. The times were sadly out of joint.

There were three possible ways of dealing with conventicles. One (favoured some years previously by Tweeddale) was to send the "scandalous" curates back to their hills, and replace them with

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[1] Burnet, *History*, p. 245.

[2] *Ibid.*, p. 225.

"worthy ministers." The second (favoured by Burnet) was to appoint, as vacancies occurred, two Presbyterians to each parish, thus reducing more expeditiously the number of agitators in the fields. The third (favoured by the Duke of Monmouth) was to permit house conventicles, which were harmless, in order to eliminate field conventicles, which were dangerous.[1]

The first would have brought the Bishops—English and Scottish alike—swarming like wasps round Lauderdale's head. The third had the merit of being simple, and, if adopted timeously, might have proved effective. Burnet's suggestion that two ministers should be appointed in pairs with an equal division of the benefice, and that a second minister should be added to the churches already indulged, was approved by Lauderdale, who gave instructions accordingly. But this plan (the Second Indulgence in 1672) was not persevered with. The consequence was that the ministers for whom no provision was made "went about the country holding conventicles very boldly without any restraint."[2]

There was no difference of opinion, even among moderate men, that after 1672, field conventicles, to which the Indulgences gave an obvious fillip, were a source of incessant unrest and pregnant danger. To represent them (in their later stages, at any rate, when the temper of the people had waxed fiercer) as harmless meetings for religious worship and mere assertions of liberty of conscience, is not an exact statement of fact. In the early days of conventicles, there was not a whisper of sedition. "The more I enquire," says Moray to Lauderdale, in 1667, "the less appearance I finde that there was a formed designe of rebellion, and that it might have been more easily quasht than it was."[1]

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[1] House Conventicles if "crowded without the doors or at the windows" were reckoned and punished as "field conventicles" (Burnet, p. 196).

[2] Burnet, p. 226. According to Leighton, no means were used to confine the ministers to the parishes to which they were "assigned double," and "these are mainly they yt. now disquiet ye countrey" (*Laud. Papers*, III. p. 51).

Let Moray's statement be compared with that of the Earl of Kincardine (another clear-headed adviser of Lauderdale) in September 1673, and it will be seen how far the conventicles had developed into political meetings during the intervening years.

"Not only in all parts of the countrie," writes Kincardine to Lauderdale, "privat conventicles abound where very disaffected persons preach dangerous doctrines, but in many parts very numerous field conventicles are keept, at which, as I think I told you before, guards are keept by armed men, so that I find discreet men apprehensive it may turne to much mischief if it be not prevented."[2]

At a still later stage, in 1680, we find four Scottish ministers in Ireland stating that "these distracted courses of late by some in Scotland are lamented and abhorred by all ministers and people we know in this country, both as rebellious against our lawful sovereign and highly sinful against God, who owneth lawful magistrates to be His ordinance and commandeth due obedience, subjection, and reverence to them, even for conscience sake."[3]

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[1] *Laud. Papers*, II. p. 15.

[2] *Ibid.* II. p. 233. "A dangerous humour frequently to be found in their meetings" says Kirkton (p. 329). He accuses some of the loudest talkers of skulking out of the way when danger threatened (p. 329).

[3] *Cal. of State Papers Dom. Ser.*, 1679-80, p. 576.

The evidence of Kirkton and Law, two "outed" ministers of moderate views, may be compared with the views of these Scottish ministers in Ireland. They are in substantial agreement. It is useless to quote anti-Covenanting contemporaries: to them the Covenanters were simply "fanaticks."

These testimonies are valuable, as showing how the excesses of the left wing of the Covenanters, were strongly condemned by men whose sympathies were generally on the side of the people. But they show, also, that the complexion of the conventicles had become less religious and more political. What was the cause of this change? The cause was, that the conventicles gradually took the character which the Administration insisted, without adequate reason, upon ascribing to them. "Seditious assemblies" they were called when they were purely religious meetings; and "seditious assemblies" they became in fact. And all because Lauderdale, fearful of what the meetings might become, rather than of what they actually were, unwisely allowed himself to become the Bishops' policeman.

Whether owing to the fact that he had lost touch with his fellow-countrymen during his long stay (voluntary and involuntary) in England, or whether, as a Lothian man, he never really understood the mentality of the men in the West or the South-West, Lauderdale showed a singular lack of insight in dealing with conventicles in Scotland. Did he really expect these dour, determined Scots to yield meekly to the rigorous repression of their religious meetings, in the same fashion as the milder nonconformists in England yielded to the harsh conditions of the Conventicle Acts? If he did, his knowledge of their character was inexcusable in a Secretary for Scotland. It is easy, at this lapse of time, to see where his statesmanship erred. But one would have supposed that it might have occurred to him to try the policy of leaving conventicles severely alone, after his own adviser, the cultured and level-headed Sir Robert Moray, had reported upon their innocuousness. If the

Government had paid no attention to them, they would soon have lost their novelty, and perhaps much of their attractiveness. The younger men——the most reckless and most troublesome frequenters of the meetings—were drawn to them, partly by the spice of danger which they offered. They would soon have tired of long sermons, if uninterrupted by troopers, and of dreary theology if unenlivened by carbine fire.[1] And the soberer and more profoundly religious conventiclers would, in time, have realized that there were more efficacious and lawful means of gaining their end than by attending these meetings by marsh, river, or hillside. The suppression of conventicles defeated its own end. For it made martyrs of quite ordinary men and women; and when that stage is reached among an emotional and deeply religious people like the Western Scots, no power on earth can compel their submission. It is one of the tragedies of statesmanship, that it is so frequently made bankrupt by its failure to recognize that emotion is stronger than reason, and to remember the fact in its calculations.

There was one man in Scotland who was forced to give the fact due recognition; and that was Bishop Leighton. He found he was contending against intangible forces which overcame the dictates of reason; and he despaired of success in reconciling their effects. What, in his opinion, made "the wound of our shism almost incurable" was the wholesale turning out of the Presbyterian clergy under the Middleton Administration. He did not think it "reasonable" to turn out the "curates" to make room for the Dissenters, and could only suggest the presentation of the latter to vacancies as they occurred. He had completely abandoned all hope of an "accommodation," which was his darling project. But he did not altogether despair of the mitigation of the evils of schism, and for that reason, seems to have lent his support to a proposal, politically instigated by Hamilton, and adopted by the Synods of Glasgow and Edinburgh, for holding a National Synod as a remedy against the existing divisions in the Church. In a cogently worded letter to Leighton, dated 18th June 1674,[1] Lauderdale gives his reasons for refusing to accede to the proposal. Would the Dissenters regard the Synod as a General Assembly of the Church of Scotland? Would they obey its decrees? These questions only needed to be asked, to answer themselves. As for the orthodox clergy, "what need they a Synod"? Traversing the origin of the proposal, he lays bare its political genesis. He recalls the "sad effects" that flowed from the petitions of ministers for a General Assembly in 1638. He remembers how "the tumult at Edinburgh begun by woemen, and now I find woemen more tumultously petitioning"[2]; and "a burn'd child dreads the fire." He dare not, cannot concur in the proposal from which "I may fear evill and expect no manner of good." He is confident that field conventicles and invading of churches (for some of the "orthodox clergie" had been unceremoniously chased out of their charges by their parishioners) "had been industriously raised" and "fomented," but hopes, if the Privy Council carry out the King's commands, that violent and seditious spirit may "easily be quelled." And here is a notable sentence, showing at a glance the general lines of his ecclesiastical policy:—

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[1] Lay preachers (corresponding with "the men" of the Highlands in later days) were the inevitable fruit of conventicles. Writing to Sharp in (or about) 1675, Halton says that now "there is pakmen that pretcheth at conventikils. . . . I shall forder tel you that the common Hangman of Irven keeps conventikils and pretends to pretch" (*Scott. Hist. Soc.*, Vol. XV., p. 288). The Hangman referred to was William Sutherland, a Highlander, who refused to execute Covenanters when ordered to do so (see Wodrow, II. pp. 54-8).

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[1] *Laud. Papers*, III. pp. 52-4.

[2] The part taken by women in the social and religious upheavals of Scotland is certainly remarkable; and they seem never to have lacked the gift of expressing their views with pungent point and unmistakable vigour.

> "If the late mad pranks so evidently threatening a rebellion had not fallen out, I was much inclined to any maner of moderation that could have been proposed for quieting the soberest of the Dissenting Party, and I was for granting any Indulgence to the Peaceable of them w^ch^ might have consisted with the maintenance of the present Church Government established by Law, and w^ch^ would not probably have perpetuated the Schisme;[1] but the late mad practices have much cooled me untill I see some more hopes of peace by the Councell's vigorous quelling of this Spirit."

He had no objection to an alternative proposal made by Leighton that a meeting should be arranged between some of "the soberest Dissenters" and some of the Bishops and the orthodox clergy. But in view of previous failures in the same direction, he could not disguise his own "melancholly thoughts" that "until that desperate party see that their violent courses can not prevaile," he has "but little hope from moderation and indulgences."

"Blessed are the peacemakers!" That was

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[1] Hamilton's opinion was that if the Second Indulgence had been accepted by the whole body of Presbyterians, it might have "settled the country" (Kirkton, p. 336). Most of the gentry in the West were in favour of the Indulgence—they preferred Presbyterian ministers to "curats"—but "many of the commons" were against it (Kirkton, p. 334). "The ministers of Holland," says Kirkton (p. 335) "treated the indulged brethren almost as severely as the curats."

the most fitting epitaph for Leighton. He did not relinquish hope of reaching his goal until one avenue after another, leading to peace, had been closed. When, finally, he realized that all resources had been exhausted, he decided that his work was done. He felt the exceeding bitterness of failure; and the bitterness was not lessened by the knowledge that some of the differences, at least, were easily adjustable with the exercise of goodwill on both sides. And it is difficult to see how it can be contended that, if Leighton's model of Church government had been alone the question at issue, peace could not have been attained without the sacrifice of principle. With the left wing of the Dissenters agreement was clearly impossible; but that section, if vigorously vocal, was, after all, numerically small.[1] The right wing and the centre formed the main strength of the Presbyterians, numerically and intellectually; and with them acceptance of the absolute supremacy of the King in ecclesiastical matters was probably the fundamental stumbling-block in the way of union. But that rock of offence was the corner-stone in the edifice of Government, set up both by Middleton and Lauderdale for the practical assertion of autocracy; and without it, the whole elaborate structure would come tumbling down. Incompatible ideals are not capable of adjustment, and when there is a clash of principle, it is vain to attempt to effect a settlement containing the elements of permanency.

Leighton had long been weary of all the vain "jangles and strifes" of Synods and Assemblies, and he easily assented to Lauderdale's arguments against a National Synod. The truth was, he had now no specific plan of his own for obtaining peace; but he was ready to adopt any lawful measure proposed by others that was calculated to achieve that end. By December 1674, he had come to a fixed decision to resign. Earlier in the year he had offered to relinquish his office, but was persuaded by Lauderdale to withdraw his resignation. Ill, disillusioned, and utterly discouraged, he deemed the end of the year a fitting time to lay down the burden of his office. Yet he defends himself against the implication that his resignation proceeded from "any pusillanimous impatience or weariness of ye troubles of this employment." Rather did it proceed from "a great contempt of our own unworthy and trifling contentions of w^{ch} I have little other esteem than of a querelle d'Alman or a drunken scuffle in the dark." It saddened him to see "a poor Church doing its utmost to destroy both itself and religion in furious zeals and endless debates about ye empty name and shadow of a difference in Government."[1]

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[1] Tweeddale draws attention to the fact that some of the Dissenters were Congregationalists and not Presbyterians at all (*L.P.*, II. p. 206).

He retired to his native England. He had long been yearning for rest, and "to give himself wholly to prayer and meditation." In a peaceful Sussex parish, he actualized his ideal. Yet not wholly, for he was too unselfish to live in monastic seclusion. He preached and prayed and went about doing good. The library which he left to his old diocese of Dumblane, for the use of the clergy there, is a permanent memorial at once to the range of his studies, and the catholicity of his literary tastes. He often remarked to Burnet upon the difference between the commons of England and the commons of Scotland in their attitude towards religious matters: he lamented the "stupidity" of the former. Before his death, which took place at the Bell Inn in Warwick Lane, London, in 1684, an effort was made by the King, on the representations of the Duke of Monmouth, to draw him out of his retirement. In July 1679, Charles asked him to go to Scotland to live there, whether he accepted a bishopric or not.[1] "I am now resolved to try what clemency can prevail upon such in Scotland as will not conform to the Government of the Church there,"[2] wrote the King; and he knew no one better qualified to promote a policy of conciliation than Leighton. But Leighton never saw Scotland again. Burnet asserts that when he was there, "he took what his tenants were pleased to pay him"; and it is safe to say that he was the only Bishop in either England or Scotland who so flagrantly transgressed the accepted maxims of political economy. This "Christianised philosopher"[3] as he has been called by the late Dr Hume Brown (one would prefer to say "philosophical Christian") was the wost unworldly of men, and the most charitable of ecclesiastics. If he was unfitted in such rough times, by the very comprehensiveness of his charity, from handling with effectiveness the unprecedented difficulties by which he was surrounded, the fact only serves to bring out in strong contrast the breadth of his own views and the narrowness of the views of his opponents. He made himself unpopular both with his fellow-Bishops and with their Presbyterian adversaries, and this unpopularity is the best tribute that could be paid to the scrupulous fairness with which he endeavoured to examine the questions at issue, and to deal justly by both sides.[1]

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[1] Leighton's views about the comparative unimportance of forms and ceremonies seem to have been substantially the same as those of Herbert Croft, Bishop of Hereford, in 1675.

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[1] Burnet's *History*, p. 381.

[2] Butler's *Life of Leighton*, p. 506.

[3] "Christian philosopher" is a nomenclature of commendation much favoured by Gilbert Burnet.

He was succeeded by a very different type of man and ecclesiastic. Alexander Burnet was recalled from his retirement and restored to the See of Glasgow. This honest bigot — even in bigotry, honesty must receive recognition — was opposed to conciliation, believing, doubtless in all sincerity, that repression was the only efficacious weapon to bring peace to the Church. *Longifacies*, *Nez Long* were the nicknames by which he was known in Lauderdale's private correspondence. Once Burnet's long nose was again poked into Scottish ecclesiastical affairs, all hope of peace in the West vanished. The era of conciliation departed with Leighton; henceforward, the unhappy Covenanters were marked down for treatment with the extreme rigour of the law. Sharp and Burnet made an excellent pair of Inquisitors.

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[1] As an ecclesiastical peace-maker, Leighton may be compared with Gaspar Contarini who, in the 16th century, strove earnestly but unsuccessfully, to effect a reconciliation between Romanism and Protestantism (see Ranke's *History of the Popes*). Instead of accentuating differences, both men searched for points of agreement between the opposing parties.

CHAPTER XXI

"It is hot at present." So wrote the King in a friendly note to Lauderdale in January 1674; and the allusion was not to the weather, but to politics. The Commons were making a drive at Arlington, Buckingham, and Lauderdale. They had presented an address to Charles for the removal of Buckingham and Lauderdale from his employment, and were debating whether to deal similarly with Arlington, or to appoint a Committee to consider whether he should be impeached. The King hoped that when Lauderdale's case was more minutely examined, "reason and justice" would prevail. "The honest country gentlemen," he said, were beginning to understand "some of the great leaders." He acknowledged to Kincardine, Lauderdale's deputy at Whitehall, that "things were ill here," and that it would never do to have "troublesome business both in Scotland and here together."[1]

Meantime, Lauderdale was being urged by some of his friends to send a written defence, or to allow some of his friends to speak up for him. But he refused to move without the King's command. All that was voted was an address to Charles for his removal, and "the bitter part off it is to be removed from yr. presence for ever." He was convinced that he could not be safer than in the King's hands;

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[1] *Lauderdale Papers,* III. pp. 22-3.

and that was the precise situation. But Lauderdale, ever jealous for the dignity of his native land, could not believe that the Commons meant to meddle with his Scottish employments, for they were outside their jurisdiction.[1] "I am yr. Secretarie for Scotland, and by that place obleged to atend yow, bot I lye att yr. feet, doe with me what ye please." He tells the King that the Hamiltonians had sent the Earl of Dumfries to London to "bawle" against him, and that the instructions of Dumfries were to press Charles to send for the Chancellor, the Register, and the King's Advocate, to give him true information about the state of the Kingdom.[2]

A few days afterwards, Kincardine reported to Lauderdale that he had seen Hamilton, Tweeddale, and two colleagues, "all standing in a row," waiting for an audience from the King. When they obtained their interview, Tweeddale discussed some Treasury business in Kincardine's presence, and Hamilton, who was left alone with Charles, hàd some complaints to make against the Court of Session. The King gave him a short answer and "believed" he had "angered" him "very ill."

A day or two later, Kincardine was summoned before a Committee of the House of Commons, but was not informed upon what matters he was required to give evidence. He was "civily used" by the Committee. He remarked sarcastically that he presumed he was the person they wished to see, although in the summons both his name and designations were described inaccurately. They questioned him on Scottish affairs, and he refused to answer, "since they could pretend no jurisdiction over Scotland"—another instance of the jealousy entertained by Scottish statesmen of any English interference with Scottish business. He answered two other questions, since "they concerned not Scots affairs." The Committee informed him that they would report to the House on his attitude.[1]

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[1] *Lauderdale Papers*, III. p. 26.

[2] *Ibid.*, III. p. 27. According to Kirkton (p. 341) one of Hamilton's friends offered in 1674 to "dispatch" Lauderdale, but Hamilton refused to countenance murder.

On 12th February, Kincardine informed Lauderdale that there had been talk of charging him (Lauderdale) with treason, in respect of his presumed intention to send a Scottish army into England, which interpretation had been placed by the Commons on certain words in the Militia Act.[2] To march forces from one Kingdom to the other was a breach of an Act passed in the reign of James I. "But everybody wonders here," says Kincardine, "that yow have in all this tyme said nothing in answer to the accusation concerning the words said in Counsell *that the King's edicts are as good as Lawes.* This is the only thing needs answering, for it is that which only held weight with the House of Commons because it is proved." Lauderdale's friends were at a loss to know what answer to give: it all depended on the construction to be placed upon the word "edicts." No one doubted that the King's proclamations, if according to law, or not against law, were completely binding. But what did Lauderdale mean by "edicts"? His enemies strove to show that it was a Scottish word with a malevolent meaning, but Kincardine was sure it had "never been so in my tyme"; and he had never heard Lauderdale use the word. He was sure that Lauderdale had always expressed respect for the laws, "and that aversion to all arbitrarie proceedings in the affairs of Scotland" (was Kincardine deliberately sarcastic?) that he could "hardly be otherwise in England."[1]

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[1] *Lauderdale Papers*, III. pp. 21-2.

[2] This "grievance" was not proceeded with, though it was pressed in 1675 and subsequent years.

All the circumstances just stated explain the sudden prorogation, on 24th February 1674, of the Scottish Parliament, to November 1674. In January, Charles had discussed with Kincardine the question of an adjournment of the Parliament: a course much favoured by the King and approved by his Commissioner. But Kincardine pointed out to Charles that if he took the unusual course, without consulting Lauderdale, of commanding an adjournment, it would do great harm, especially as it would be done at "the importunity" of those who were his Commissioner's "declared enemies."[2]

Lauderdale's reception of the King's order to prorogue, expressed no feeling but that of joy. Writing Charles on 5th March, he declared that "mad notions" had been prepared against the King's service, but the King himself had "dasht them in a moment." Hamilton and his friends had been preparing for a fresh attack on Lauderdale when Parliament re-assembled,[3] and the prorogation took the wind out of their sails. "When it shall please God" (writes Lauderdale to Charles) "that I have the happiness to see yow, yow shall find me readier than all your enemies to rid yow of the trouble of Scots Parliaments, w^{ch}, I swear, are now useles at the best." The Parliament was dissolved by proclamation on 19th May.

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[1] *Lauderdale Papers*, III. p. 34.

[2] *Ibid.*, III. p. 23.

[3] Sir George Mackenzie's *Memoirs*, p. 264.

Henceforward, Lauderdale governed without a Parliament.[1]

And that was the end of an "auld sang." It was a simple and efficacious way of getting rid of troublesome interpellations, and it cut the ground from the feet of the Hamiltonian faction. For although, as Lauderdale justly declared, the Scots Parliament had become "useless" (under a system which had completely destroyed its usefulness), it was still the national forum from which grievances could be discussed, and Ministers charged with dereliction of duty. But it was the facilities for such discussions and charges that the King and his Commissioner particularly desired to avoid. Yet, as they were soon to discover, other means of attack were not beyond the resources of Lauderdale's opponents.

The prorogation of Parliament was like a bombshell in the camp of his enemies. Hamilton wrote to the King a cautiously worded letter, profusely professing his loyalty, and regretting that the prorogation of Parliament had prevented him from making clear his intention of trying to calm the "existing humours." He wished to be heard by the King in the presence of Lauderdale. But Charles had no wish to see him, for his presence in London "could do nothing but make trouble and noise and do hurt as well as in Scotland."[2] And what was the main object in life of Charles but to avoid trouble? He was thoroughly in accord with Lauderdale about the uselessness of Parliament under an autocratic system of government. Why all this fuss and worry; all these party intrigues? Why the necessity of humouring disagreeable politicians instead of enjoying oneself with witty courtiers? Why not leave everything in the hands of a good-natured King, who had no wish to restrict the liberties of his people, if they supplied him with plenty of money to follow the bent of his own desires? Charles deemed it an intolerable hardship that he was not allowed to play the part of a benevolent despot; the father of a grateful people (at least of a number of them). The consummate skill shown by him in his secret diplomacy proved his natural capacity for political affairs. He had all the shrewdness of his grandfather, with none of his pedantry; all the kingliness of his father, with none of his aloofness;[1] all the political ability of both, without the painstaking industry of either. Had he applied himself to the task of governing his people constitutionally, instead of exploiting them to finance his amusements; had he taken as much interest in economics as he did in chemistry; had he shown the same insight in the making of his Cabinets as he did in the building of a ship; and expended the same passion on his country as he wasted on abandoned women; he would figure in the gallery of historical portraits as one of the greatest, instead of the least worthy, of British Kings. That was the sovereign, to achieve whose supremacy in all things political and religious, Lauderdale, with extraordinary ability and unflagging zeal, and at the cost of the bitterest hostility to himself, had devoted his conspicuous talents.

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[1] Sir George Mackenzie's *Memoirs*, p. 266. "And this was the last time," remarks Law (*Memorialls*, p. 341), "ever our mighty Duke durst adventure upon a Scotch Parliament." As we shall see, a Convention was held in 1678, but it was for the sole purpose of obtaining supply, and no legislation was permitted.

[2] When Hamilton waited on Lauderdale after his last London visit, he was "but bauchly entertained." (Law's *Memorialls*, p. 64.)

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[1] The accessibility of Charles was one of his main charms. No one understood better than he how to make himself popular. And no one had a shrewder perception of the arts of the mere flatterer. The "ugly fellow," as he called himself, with a twinkling eye, could behave handsomely on occasion. He was faithful to his brother over the question of the Exclusion; and although he never loved the "bat" they had sent him from Portugal for a wife, he would never hear of a divorce. What would Henry the Eighth have done?

Government in Scotland without a Parliament had to be justified; and the surest means of justification was to secure peace and comparative contentment in that country. In pursuance of his general policy, Lauderdale had aimed at convincing the Scottish people that any ameliorating measures passed by Parliament had their source in the grace of the King, and not in the wisdom of the Estates. He had often declared the King's intention of discharging all pre-Restoration impositions, and all fines imposed by the notorious first Parliament held in Scotland after the Restoration.[1] On 17th March 1674, doubtless on the advice of Lauderdale, Charles granted, by an "Act of Grace," this boon, by proclamation.[2] The Hamiltonians, deeply chagrined by this bid for popularity, affected to ridicule the Act, though these were the very reforms that they themselves had advocated; and Hamilton made matters worse for himself by a finicking criticism which had its root in self-interest.[3]

In May, Lauderdale, now in London, and, as a contemporary remarks, "never more in His Majesty's favour," ordered, by means of a letter from the King to the Privy Council of Scotland, a drive against the conventicles.[4] The effect was seen at the end of the following month, when Kincardine reported that "there is now a great cessation from the insolencies and field conventicles," especially in Fife and the Lothians. Another Indulgence was expected in some quarters, but was opposed by those who, like Lord Rosse ("a Lambe among vowlfes," so he describes himself), held that conventicles "ryses and falls according as they are punished or slighted."[1] Those who held that view did not foresee its complete falsification within the next five years.

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[1] *Cal. of State Papers Dom. Ser.*, 1673-5, p. 209.

[2] *Ibid.*, p. 204. Law (*Memorialls*, p. 342) gives the date as 4th March, and says that the Act pardoned all accession to conventicles previous to that date (p. 343). "From that time forward," he says, the truth was "Scotland broke loose with conventicles of all sorts" (p. 343). Meantime, the parish churches "came to be like pest houses."

[3] Sir George Mackenzie's *Memoirs*, p. 266.

[4] *Cal. of State Papers Dom. Ser.*, 1673-5, p. 253.

Peace had thus been temporarily secured by well-timed concessions to the public, and by severity which had the effect, for the moment, of overawing the conventiclers. These results were at once advertised in England. "Great endeavour," wrote Lauderdale to Sharp, had been used of late "to allarume all England with the feares of a present Rebellion in Scotland"[2]—a rebellion which, according to his English enemies, was welcomed by Lauderdale, so that he could bring over his Irish Papists to cut Presbyterian throats! According to Stringer, the mouthpiece of Shaftesbury and his friends, Lauderdale had given the Court party an assurance of the assistance of 24,000 Scots, to co-operate in iniquity with the English Army under Schomberg, with the 50,000 men expected from France in accordance with the Dover Articles, and with some 70,000 Irish "and other lewd and profligate wretches" kept on half-pay in London and Westminster.[3] Lauderdale's intention was "to enslave both Kingdoms and destroy the Protestant religion"; and the Opposition in the Scottish Parliament had intended to impeach him "for his arbitrary and illegal practices upon them."[1]

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[1] *Lauderdale Papers*, III., p. 60.

[2] *Scott. Hist. Soc.*, Vol. XVII., p. 270. In the same letter he calls the Articles "one of the best flowries in his (the King's) Crowne of Scotland."

[3] Christie's *Shaftesbury*, II., p. 37.

Shaftesbury's object was to identify Lauderdale with the Romanist and anti-Protestant interests; and in the existing state of public feeling, he could have chosen no surer means of making him hated. It was a time when "Pope-makers" were the most popular of tradesmen. They turned out Popes (effigies for bonfires) in large numbers, but not large enough to meet the demand. Country people's first question on coming up to London was, "whereabouts lives a Pope-maker?"[2] The craze extended to Scotland "and made them half-mad too." Anyone suspected of "Popish" sympathies was a marked man; and Lauderdale's enemies strove to accelerate his ruin by placing, without a shadow of justification, the "mark of the beast" on him. But any accusation levelled against him was adequately answered by the pacification of Scotland, which was announced, with an obviously political purpose, in the *London Gazette*, by means of a letter from the Privy Council of Scotland. "The insolence of that party" (the conventiclers) "is at a standstill and their seditious practices in a great measure abated."[3] And, as if to accentuate his sense of Lauderdale's worth, and to announce his intention of protecting him from the malice of his enemies, the King signed (May 20th) a warrant for a letter, approving and ratifying his services as Commissioner, during the last four sessions, and granting him full exoneration for all things spoken, done, or advised by him, "not only on account of his commission, but also at any time concerning anything whatsoever before or since the commission, though the same were treason or any capital or other crime whatsoever."[1] And this indemnity was followed (June 3rd) by a warrant for creating the Duke a Baron and Earl of England, by the title of Baron of Petersham and Earl of Guilford, with a pension of £3000 a year.[2] The object of this creation was clearly to protect Lauderdale against the Commons. As an English peer, he could only be tried by his peers.

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[1] Christie's *Shaftesbury*, II., p. 39.

[2] *Cal. of State Papers Dom. Ser.*, 1673-5. Letter dated 5th December 1673.

[3] *Ibid.*, 1673-5, p. 304.

Recent events in Scotland had aroused a spirit of discontent "not only" (as Kincardine expressed it) "amongst the foolish fanatick partie, but even amongst all sorts of people, and they know not for what." The Convention of Burghs at least knew "for what."[3] They addressed a letter to the King, protesting against the dissolution of Parliament, a step which, as representing one of the "Estates," they were quite entitled to take. The manner in which this protest was received by some members of the nobility, throws a strong light upon the "class politics" of the time. Writing to the Duchess of Lauderdale (to whom political aspirants to her husband's favour, were now increasingly in the habit of addressing themselves), the Earl of Atholl alludes to this address as a "saucy letter," written by "silly insignificant fellowes" at the instigation of the "partie." That "such vermine" and "machanick fellowes" should dare to meddle with matters that belonged exclusively to the King and the Parliament was preposterous. The King should "reduce them to their first principles" (which were "worse than nothing"), else others "of the same qualitie" might be encouraged to follow their example; a thing "never yett heard off in Scotland," for "without the nobilitie, such fellowes signifie little."[1] It was unfortunately true; and it was all the worse for the "machanick fellowes." Other times, other tones. In the end, by threats and flattery, Lauderdale easily quelled the incipient revolt of the burghers. He singled out Dundee for special commendation: "Loyal Dundee" of which he was a free burgess.[2] Aberdeen and St Andrews had disclaimed the "impertinent letter."

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[1] *Cal. of State Papers, Dom. Ser.*, 1673-5, p. 261.

[2] *Ibid.*, 1673-5, p. 272. On 13th July a warrant was signed for a gift to Lauderdale of £12,134, 10s. (to be paid to him in quarterly instalments) of the remainder of the tack duty payable by Sir William Sharp (the Archbishop's brother) for the excise of Scotland, over and above the pay of the standing forces and garrisons there, for which the tack duty was applied. (*Cal. of State Papers, Dom. Ser.*, 1673-5, p. 306).

[3] *Lauderdale Papers*, III., p. 61.

But it was not the Burghs alone that were disturbed. There was a mutiny among the advocates. On the advice of Sir George Lockhart (the great rival at the Scottish Bar of Sir George Mackenzie), the Earl of Callendar appealed to Parliament against a decision of the Court of Session favouring the Earl of Dunfermline. This raised a delicate question, for the Judges were appointed by the Crown, while the members of Parliament were not. The Judges were affronted by the appeal, and cited Callendar for making it. Incensed by the attitude of certain advocates who supported Callendar, Lauderdale, on his arrival in London, complained of them to the King. Charles disliked appeals to Parliament (naturally, one would suppose), and instructed the Judges to forbid them; the advocates, to disavow them on oath; and the Burghs to forbear electing as their members "gentlemen or noblemen's servants." The last instruction, in the opinion of the Burghs, would deprive them of the services of representatives having some skill in the law; and in those days that would have been a severe disability. They petitioned the King (Mackenzie, Lockhart, and another lawyer acting for them), but their petition angered Charles, who fined and imprisoned the Provosts of Aberdeen, Glasgow, and Jedburgh. Lockhart and Sir John Cunningham were disbarred; and they were followed out of Court by the junior Counsel. The latter, in short, "struck work," and although they afterwards declared to the Privy Council that they were not a "combination," they acted in precisely the same manner as the members of a modern trade-union who "down tools" when they conceive that their comrades are the victims of an injustice.[1] And a further parallel is provided by the Government's assurance of "protection" to the advocates who refused to "strike."

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[1] *Lauderdale Papers,* III. pp. 65-66. This is the tone that would appear to confirm the statement by an English observer in 1670, that "the nobility and gentry (of Scotland) lord it over their poor tenants, and use them worse than galley slaves" (*Harl. Misc.*, VI. p. 139).

[2] In 1676 Halton (Lauderdale's brother) got a charter of the lands and barony of Dundee with the heritable office of Constable in the burgh. (*Cal. of State Papers, Dom. Ser.*, 1676-7, p. 125).

Lauderdale came down on the "mutinous" advocates with a heavy hand. They were turned out of the Courts, and orders were given not to re-admit them until they gave signs of "repentance." Sir George Mackenzie, who, by his fearless opposition to Lauderdale in Parliament, had earned his displeasure as a "factious young man," broke away from the mutineers (he had quarrelled with Lockhart) and, with his brother, Colin, was received into favour. Those of the mutineers (permanently disbarred by proclamation) who had not submitted by 28th January 1675, were told, in June 1675, that unless they petitioned for reinstatement in the exact terms employed by Sir George Mackenzie, the ban would not be removed.[1] Further, the Lord President and the Senators of the College of Justice were instructed not to re-admit any advocates until they undertook not to meddle in any public matters outside their profession. Meantime, the Duchess of Lauderdale had been urging Halton to endeavour to "bring in" the outed advocates "by all fair and passable means";[2] and by the use of persuasion and force, the "mutiny" was finally quelled. The complete control of the judicial machinery of Scotland, without appeal to Parliament, was thus secured, and the autocracy of Charles was more firmly riveted upon the country than ever. By his masterfulness, Lauderdale had scored another victory for his policy.

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[1] See Mr Lang's *Sir George Mackenzie* for a detailed account of the quarrel with the advocates. It led to Mackenzie's going over to Lauderdale.

"It is strange," wrote Kincardine to Lauderdale in July 1674, "that all sorts of people should thus grow mutinous together. I pray God avert what it threatens."[3] The mutiny to which he was particularly alluding was the demand for a National Synod against the wishes of Sharp and the Bishops. But one of the Bishops (Dumblane) was among the mutineers, and was promptly sent to the Isles —the Scottish equivalent for Coventry; while some ministers were removed from Edinburgh and Leith "for their most factious and insolent carriage." Neither the King nor Lauderdale cared a bodle for the wishes or the dignity of Sharp and his fellow-Bishops. But they cared a great deal for the injury that might be done to the "authority ecclesiastical" of the Crown;[1] and as we have seen, Lauderdale had decided that there would be no more General Assemblies masquerading as National Synods, "to regulate our worships and Government," and to dispute, mayhap, the ecclesiastical supremacy of the King by law established. Like the mutinous advocates, the ecclesiastical mutineers were reduced to submission by the same forceful methods, and the vision of a National Assembly, that might conceivably have manifested some symptoms of independence, quickly faded away. Thenceforward, the supremacy of the Crown was in no danger of being questioned, either by "schismatics" or by those of the clergy who were bound to pay the Bishops "canonical obedience."

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[1] *Cal. of State Papers, Dom. Ser.*, 1675-6, p. 189.

[2] *Lauderdale Papers*, III. p. 67.

[3] *Ibid.*, III. p. 75.

Perhaps the most potentially dangerous of the mutineers were the women of Edinburgh, who demonstrated against the Bishops in 1674. In that year, in consequence of a belief that the Duchess of Lauderdale had foreshadowed a further extension of the Indulgence, conventicles flourished in Fife and the Lothians, as well as in the West. Many hundreds of women filled the Parliament Close, and presented a petition to the Chancellor (Rothes) in favour of the "outed" ministers. They were furious with Sharp, whose life they threatened, and had it not been for the insinuating suavity of Rothes, who managed to placate the robustious females, the Primate might have suffered the indignity of being severely mauled by them.[2] As it was, they contented themselves with calling him "Judas," and leaving the insult to rankle in his Archiepiscopal mind. He secured his revenge by having some of the ringleaders in the riot banished, and the gentry of Fife fined. Had the women's rebellion become general, Lauderdale, one thinks, would have been compelled to confess himself beaten at last.

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[1] *Cal. of State Papers, Dom. Ser.*, 1673-5, p. 309.

[2] Sir George Mackenzie's *Memoirs*, p. 273.

One of the most objectionable measures to which the Privy Council of Scotland resorted for the suppression of conventicles, was the revival, in 1674, of an Act of Council passed in 1666. By this Act, landlords were required to take bonds from their tenants not to keep conventicles; they were required to give no leases without that condition; and they were required to turn out all tenants who refused to give the bonds. It was even proposed to compel the landlords themselves to bind themselves, for their tenants, not to keep conventicles;[1] but for the present, the glaring injustice of such a measure gave the Council pause. In the following year, a boycott of offenders (the Scottish phraseology was "Letters of Inter-communing") was legalized and enforced under penalties. These measures of the Privy Council gave a handle to the Hamiltonians, which they do not appear to have attempted to use very effectively. Dissensions in the "party" were beginning to show themselves, the Earls of Aboyne and Queensberry betraying some coolness towards Hamilton.[2] On the other hand, the "party" was on the eve of obtaining a valuable recruit in the Earl of Kincardine, who was the last of Lauderdale's able lieutenants to leave him, thus following the example of Moray and Tweeddale. According to Burnet, Kincardine disapproved of the trend of Lauderdale's policy, and remonstrated with him in private. Finding his representations of no avail, he began to oppose him in the Council. He came to London to justify his action to the King, and desired to remain at Court, so that he might not be obliged to oppose in Council, measures that Charles deemed necessary. Kincardine was a favourite with the King, who accepted his explanation and was willing to grant his request. Lauderdale urged Charles to send him home, but this the King refused to do. Lauderdale took the refusal so much to heart, that he was on the point of resigning all his commissions.[1] Atholl thereupon went to Charles and told him that "he had sent Duke Lauderdale home half dead and half mad, and begged the King to take pity on him." Thereupon Charles yielded, and ordered Kincardine to return to Scotland.[2]

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[1] *Lauderdale Papers,* III. p. 48.

[2] *Ibid.,* III. p. 78.

Sir George Mackenzie's version of the breach between Lauderdale and Kincardine is different from that of Burnet. He says that Atholl and the Duchess of Lauderdale conspired against Kincardine, "who by his parts and the proof he had given of them in defending Lauderdale during the Parliament of 1674, was reputed by all worthy to succeed him in his office of Secretary."[3] He was Halton's rival, and Atholl's enemy, and the Duchess, deeply engaged in the congenial employment of getting husbands for her daughters, consented to Kincardine's fall, which was the easier for her, as "he stood chiefly by her favour." She told her husband that Kincardine was seeking his Secretaryship, and persuaded him all the more easily of the credibility of this statement because Gilbert Burnet, an intimate friend of Kincardine, was, at that time, intriguing against Lauderdale. Whatever the cause, the breach was irreparable. So long as he had lieutenants so able, and counsellors so honest, as Moray, Tweeddale, and Kincardine, Lauderdale was saved from acts of irremediable violence in State affairs; and so long as he leaned in ecclesiastical matters on a broad-minded man like Leighton, he was prevented from pushing the King's supremacy to its extreme limit. But now that these men were gone from his side, and he had no one but self-seeking flatterers and untrustworthy allies to hold up his political hands, and no one but bigots like Sharp and Alexander Burnet to administer his ecclesiastical policy (with the Church party in England to back them up), nothing short of a miracle could have hindered a declension in the spirit of his political and ecclesiastical methods.

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[1] This statement by Burnet seems to rebut the generally accepted view that Lauderdale was prepared to cling to office under any and all circumstances, and that his whole policy was based upon self-aggrandisement.

[2] Burnet's *History*, p. 250.

[3] *Memoirs*, p. 314.

Meanwhile, the struggle between the Lauderdalians and the Hamiltonians "begetts" (says Law) "great trouble to our nation."[1] Hamiltonian magistrates were turned off the bench, and other Hamiltonian sympathizers were imprisoned by the King's orders. Drummond was clapped up in Dumbarton Castle; and probably he deserved it. Believing that the Presbyterian ministers favoured Hamilton rather than himself, Lauderdale conceived a prejudice against them, "and marrs the extent of the Indulgence which was intended." "That," says Law, "was his great mistake." The indulged ministers were anxious that peace should be established between the two protagonists. But there were some (as Law admits) "who sought to fish in muddie waters."[2]

It was all very sad; all very petty; and all very disastrous for Scotland. The pettiness of the conflict between the Lauderdalians and the Hamiltonians, consisted in the fact that place, power, and cash were the main impellents on both sides; unselfish patriots, so far as one can judge, were inconspicuous in influence and contemptible in numbers. One has to look to the marshes and the hillsides where the persecuted Covenanters forgathered, to discover sincerity of conviction and tenacity of purpose. Probably there were few among the Hamiltonians who had not their price,[1] and still fewer among the Lauderdalians who were not bound to their leader by gratitude as defined by the cynic: "a lively sense of favours to come." Had the two parties agreed to coalesce, what would have been the result? There would have been a truce, but only a truce. Places could not possibly have been found for all who would have expected them. The disappointed applicants would have organized a fresh opposition party, hungrier for office, and more cunning at intrigue than its predecessor. It is difficult, also, to conceive of the haughty Hamilton, as a subordinate, working in harmony with the equally haughty Lauderdale, for any length of time. The two men were mutually antipathetic; and although ceremoniously polite to one another, their mutual antagonism was too deeply rooted to permit of permanently friendly relations being established between them. Unhappy Scotland! her nobility had become so impoverished that they were compelled to turn to politics as a trade: a much dirtier trade, too, than the occupations followed by the "machanick fellowes" on whom Atholl poured his aristocratic scorn.

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[1] *Memorialls*, pp. 71-2.

[2] *Ibid.*, pp. 71-2.

In England, Lauderdale's hold on the King was now firmer than ever, and, as a consequence, the bitterness of the Commons against him was growing in intensity. When Parliament met in April 1675, "Danby and Lauderdale were the two principal Ministers. . . . Charles clung to Lauderdale"[1]; and a second attack on him in the first session of 1675 failed. After the separate peace had been made between England and Holland in 1674, Charles, relieved from immediate necessities by the bounty of Louis, offered his services as mediator between France on the one hand, and Holland and her allies on the other. But his advances were coldly received (with good reason) by Holland. The Prince of Orange mistrusted him. If Charles wished his friendship with Holland to be "firm and constant," he would have to expel from his Court the Duke of Lauderdale, "who insolently and impudently attacks his Highness"; recall from the French service the British troops assisting the enemy; and the British Parliament would have to remain firm in its design of excluding the Duke of York from the succession to the Crown, and transferring it to the Prince of Orange, should the King die without heirs.[2] So the Commons in England, the Hamiltonians in Scotland, and the Prince of Orange in Holland were at one in their efforts to dislodge Lauderdale from the King's support. And it was in April 1675, that Burnet's disclosures, already noticed, reinforced the agitation against the favourite. Antagonism so formidable and so unremitting would have broken many a weaker man. But Lauderdale, still secure in the favour of Charles, and backed by Danby, the Duke of York, and the Bishops, stood up unflinchingly against the torrent of invective. Sheltered by the Throne, he waited patiently until the storm blew over, and at the prorogation of Parliament in November 1675, he "had the honour to carry the sword before the King when he went to the House of Lords."

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[1] See *Lauderdale Papers*, III. p. 79, for an example.

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[1] Christie's *Shaftesbury*, II. p. 203.

[2] *Cal. of State Papers Dom. Ser.*, 1673-5 p. 619.

"The Duke of Lauderdale," says Wodrow, "was now the great wheel by which all our little wheels moved." And he gives an example of the working of the "great wheel." "To ingratiate himself with the High-fliers then called the Church party," Lauderdale was the first to advise—advice which Danby eagerly followed—the passing of the Non-Resisting Test Bill, with provisions similar to those of the Scots Declaration.[1] The Bill was introduced into the Lords in April 1675; was riddled by the destructive criticism of Shaftesbury, Halifax, and Buckingham; but after a prolonged debate, was sent down to the Commons. It was so drastically reactionary that in the hands of the three allied parties—Cavalier, Court, and Church—it contained tremendous potentialities for the suppression of liberty. By its conditions, it was unlawful to take up arms against the King upon any pretext whatsoever; and it imposed an oath never to attempt any alteration in the Government, or in religion as established by law. By bribery, Danby had organized a Court party in the Commons equal in voting strength to the Country party, and there was every likelihood of the Bill being forced through the Lower House. A lucky accident intervened to save the nation. An appeal to the Lords from a decision of the Court of Chancery, involving a question of privilege, as well as of law, was exploited by Shaftesbury so skilfully in fomenting trouble between the two Houses, that Charles found himself compelled to resort to his usual device when faced by an awkward situation. He prorogued Parliament in June 1675 before the Bill came up for discussion. Thus by Shaftesbury's manœuvre, time was gained, and the Bill was killed beyond hope of resuscitation. It was a Bill after Lauderdale's own heart, and its failure to pass reacted upon his fortunes equally with those of Danby.

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[1] Wodrow, II. p. 298.

"No small pains," remarks Wodrow, "were taken in England to make the King part with him"[1] (Lauderdale). But the King was the last man in the world to part with a man who served him so well—unless, indeed, the Commons made it worth his while by a grant of money. And in 1675-6, Lauderdale served Charles, and vented his spleen on Holland[2] in a way that strengthened, still more closely, the ties which bound the King and his favourite together. While ostensibly mediating between France and Holland, Charles proposed and entered into a secret treaty with Louis, which bound the two Kings not to give aid, direct or indirect, to the enemies of the other, nor protection to the rebel subjects of either of the contracting parties; and not to make any treaty with Holland or any other State, but in concert and by mutual consent. This secret treaty was known in England only to the Duke of York, Danby, and Lauderdale. Danby boggled at it, and refused to sign. Lauderdale followed his example though, unlike Danby, he had promoted the agreement.[1] With his own hand (such was the secrecy observed) Charles wrote out the treaty and sealed it with his private seal. A copy was sent to Louis who (also with his own hand) wrote out and sealed, with his private seal, the counterpart. Ruvigny reported to Louis that Charles negatived the suggestion that the Lord Chancellor and the other ministers should be consulted. He "feared that if the treaty were signed with the Great Seal, the contents would infallibly become public." Indeed, Lauderdale was the only Minister who saw the treaty in its complete form: in him alone Charles reposed entire confidence.[2] There was no stipulation for a pension in this treaty.

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[1] *History*, II. p. 298.

[2] Lauderdale's enmity towards Holland seems to be a reflection of his experiences in pre-Restoration days. It was shared by his master, who never liked the Dutch. Shaftesbury's famous *Delenda est Carthago* was merely the utterance of an opportunist statesman; the Dutch were generous enough to overlook it when he sought hospitality in Holland after his disgrace.

Thus closer and still closer grew the ties of mutual dependence between Lauderdale and his Royal master. There would appear to be some ground for the belief that Lauderdale hoped in time to supplant Danby, and thus become the Grand Vizier of Charles for England as well as for Scotland.[3] And had his policy in Scotland not broken down, as it did, he might conceivably have succeeded in the design. But the stubborn Scottish Covenanters were to prove the means of overthrowing him from his eminence and, indirectly, accomplishing his political ruin.

Mysterious whispers of an enlarged Indulgence had served to keep the Presbyterians in a state of suspense. They hoped that the "great wheel" would be set in motion for their relief, and they were anxious not to endanger their prospects. Alarmed by these rumours, the two Archbishops strove to prevent their realization. Alexander Burnet of Glasgow told Lauderdale, in February 1676, that the mere report of a further Indulgence had produced an increased tendency to confusion; had emboldened the conventicling ministers; and had caused the people to shake off, not only all reverence for authority, "but almost all sense of religion."[1] A twelvemonth previously, blood had been shed at a conventicle at Bathgate, and some people had not hesitated to describe as "murder," the action taken on that occasion by a troop of horse under Lord Rosse.[2] The use of ugly words like "murder" was a symptom of the changing trend of public opinion; and it was a symptom to the possible effects of which, Lauderdale had to give due weight. But circumstances were once more proving too strong for him.

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[1] Dalrymple's *Memoirs of Great Britain and Ireland*, p. 57.

[2] Christie's *Shaftesbury*, II. pp. 210-11 (particulars taken from Dalrymple and Mignet).

[3] *The Earl of Danby* by T. P. Courtenay, p. 240 (see Dalrymple and MacPherson).

Apparently at the instigation, and certainly with the approval, of the Bishops, a fresh proclamation against conventicles was issued by the Privy Council on 1st March 1676, and a Secret Committee of the Council was appointed to consider measures of further repression. Whatever the means of conciliation Lauderdale had in view, he was now getting more and more swathed in the bandages of the Church, and had less liberty to act as he would have desired. Yet he never failed to keep a jealous eye on any attempt by the Church to meddle with the prerogatives he had secured for Charles. He would not suffer a breath of criticism by Churchmen against the ecclesiastical appointments made by him in the King's name and in the King's interest. For example: when the wisdom of an appointment he had made in 1675 to the Bishopric of the Isles (Andrew Wood) was respectfully questioned, on the reasonable ground that the Bishop could not speak a word of Gaelic, although he was going to a people most of whom could not speak a word of English, Lauderdale was "amazed" at the objection, and sharply rebuked the objectors (the sub-Dean of the Isles and two Prebendaries) for their presumption. It was a qualification (he said) that had not been "hinted at" in former elections to the Bishopric, and the King had been sufficiently well-informed of Mr Wood's qualifications before granting his *congé d'élire.* "The nomination is absolutely in the King, and it was your duty to have obeyed and not advised."[1] It was lucky for them, he suggested, that they were not in England, for they would have been severely punished for their temerity. He advised them to beg the King's pardon, and he would do what he could to restore them to favour. And what was the terrible offence these people had committed? They had "clogged" their certificate of the Bishop's election with an expression of regret that he "wants the qualification of the Irish (Gaelic) tongue!" Lauderdale was an artist in the manufacture of bogies, wherewith to frighten those who knew no better than to think they were real. He traded on his countrymen's conviction that no one had such influence with the King as himself. If any one (other than his fellow-nobles, who knew all about these bogies) opposed his smallest wish, swiftly came the threat of the King's extreme displeasure, unless the culprit asked Lauderdale to intercede for his forgiveness.[2] And the forgiven penitent was then expected to show his gratitude, by adhering ever afterwards to Lauderdale's interest.

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[1] *Lauderdale Papers*, III. p. 80.

[2] *Ibid.* III. pp. 77-8.

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[1] *Cal. of State Papers, Dom. Ser.*, 1676-7, p. 475.

[2] See *Cal. of State Papers, Dom. Ser.*, 1673-5, p. 381.

To promote that interest among the Presbyterians, and yet lull the suspicions of Sharp and Alexander Burnet, with those of their English coadjutors, required skilful manœuvring. Asked in 1677 to intercede with the King for the release of some prisoners on the Bass, and to take off the sentence of 'intercommuning,' Lauderdale's reply was, "the party was unworthy of any favour." "This," remarks Wodrow, "looked ominous." Yet, later on, Lauderdale "spake openly of a third Indulgence; but the Archbishops intervened," and "nothing happens." An English newsletter of 15th July 1677 states: "Some say the Duke of Lauderdale has much indulgence for the Scots: others say not: and some say there will be some favours offered here also."[1] A delightful state of uncertainty! That tentative negotiations had been commenced for an extension of the Indulgence in Scotland, seems certain. According to a statement made by Alexander Burnet, Archbishop of Glasgow, to Sir James Turner, the Duchess of Hamilton, who favoured the Presbyterians, had promised Lauderdale "many things" if he would enlarge the Indulgence. Burnet, then in London, was advised by Lauderdale to consult the English Bishops before returning to Scotland. On the following day, Lauderdale and Burnet dined with the Archbishop of Canterbury at Lambeth, the others present being the Bishops of London, Worcester, and Rochester. After dinner, Lauderdale remarked that Burnet had something to say; and the proposal made to Lauderdale was then discussed. The English Bishops, fearing that Hamilton might go to Charles direct with the proposal, wished to take steps to prevent him.

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[1] *Cal. of State Papers, Dom. Ser.*, 1677-8, p. 250.

Hamilton, as a fact, did speak to the King, but according to Burnet's information, he had neither asked for an extended Indulgence, nor for liberty of ordination by Presbyters (another grievance of the Presbyterians). To Charles, he said he approved of the Indulgence; he would not say whether it should be enlarged. But in a letter to Turner of 1st June, Hamilton stated that Burnet's version differed from his.[1]

The truth seems to be that Lauderdale was now, as always, willing to enlarge the Indulgence to whatever extent might be necessary to secure a state of peace in Scotland, which both he and Charles desired above all things, in order to silence the House of Commons. But the Bishops were now too strong for him, and he found himself in their toils. It was a misfortune, says Law, that the Indulgence was not extended to all the "outed" ministers. The discussion aroused by the rumours, only served to accentuate the division among the Presbyterians.[2] It was the last time that conciliation was attempted during the remainder of Lauderdale's Administration.

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[1] *Bannatyne Club*, pp. 259-262.

[2] Law's *Memorialls*, pp. 87-8.

CHAPTER XXII

When Lauderdale arrived in Scotland in 1677, he strove to come to an agreement with the moderate Presbyterians, his main object being to prevent an understanding between them and Hamilton. The concessions he offered have not been disclosed, but they had a chilling reception. Finally all negotiations were broken off. "Finding," says Wodrow, "the prelates and such who had packed cards with them stronger than at first he imagined," he gave up the design, "and left the Presbyterians to the fury of the Bishops." Sir George Mackenzie confirms Wodrow by his statement to the same effect. He attributes the breakdown of the negotiations to Sharp, who had "so alarmed the Bishops of England by whose favour and by whose friends" Lauderdale maintained his influence, that he was "forc'd to desert the treaty."[1]

Even Alexander Burnet, bigot though he was, had expressed in 1675, a desire for a coalition with "the more sober Presbyterians," against the "Popish interest," but subject to the safeguarding of the "liturgy, rites, and government of the Church of

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[1] Wodrow, II., pp. 370-1. Sir George Mackenzie's *Memoirs*, pp. 321-2. Sir George Rawdon, writing to Viscount Conway, alludes to these negotiations, and the "insolent demands" of the "turbulent party." The Indulgences in Ireland and the "horning" in Scotland had "blown over" to Ireland the "greatest bigots amongst them," insomuch that the country near the sea-coast may well be named Nova Scotia now." (*Cal. of State Papers Dom. Ser.*, 1677-8, p. 398.)

England."[1] He might as well have tried to mix oil and water. In 1676, Hamilton appeared in the rôle of a mediator between the King and the Presbyterians. In the same year he was doing his utmost (so Halton reported) to encourage disorders, "whether phanaticks, Borderers, and Highlanders."[2] Therefore, Lauderdale, Halton, and the Bishops were at one in opposing any efforts he might make to secure toleration for the nonconformists. A sharp eye was kept even on his domestic affairs. "A busshop," says Queensberry in a letter to him, "complain't to me of your keeping phanatick petagogs with your children contrair to the law."[3] Also (Queensberry writes) the Archbishop of Glasgow declared that Hamilton had given great offence to the King, who believed that "our main desygne in all this affair was to rear Presbetrie and destroy Episcopassy and the Artickels."[4] Correspondence between Hamilton and Alexander Burnet reveals a divergence of views on the actual proposals of the former. He admitted that he was in favour of the enlarged Indulgence, but denied that he advocated ordination, a matter of supreme importance to a prelate who was fanatically attached to the dogma of the Apostolical Succession.[5] Sir James Turner, in May 1677, assured Hamilton that the Archbishop's attitude was due to his fear of losing the friendship of Lauderdale, whom he once looked upon as "his greatest enemie." "He will now," says Turner, "sticke close to him till there be a turne." "Lauderdale," he adds, "will hardlie trust either his brother's politics or St Andrews (Sharp) his promises."[1]

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[1] *Hist. MSS. Com. Rep.*, III. p. 203. The Church of England Liturgy was never forced upon the Scottish Restoration Church, notwithstanding discussions at various times as to its feasibility. It was too risky an experiment to make.

[2] *Lauderdale Papers*, III. p. 83.

[3] *Hist. MSS. Com.*, XI., Pt. VI. p. 154. Lauderdale made a similar charge against the Earl of Dundonald. Beyond doubt the sympathies of the nobility were with the Presbyterians even when, through fear of the Government, they openly harassed them.

[4] *Ibid.*, p. 154.

[5] *Ibid.*, p. 155.

Hamilton himself had not given entire satisfaction to all the members of his party. Probably, for some of them, he was too timorous, and like many timorous men, was lacking in the gift of self-control. Before he went to London in 1674, he wrote to Arlington asking for protection against Lauderdale's "avowed malice," and when he was in London in 1676, it was said (writes his candid friend, Queensberry) that, at the conference which was held, "Lauderdale exceeded you every way, especially in patience, and that ye wer in such passion as render't your resson very ouceless" (useless).[2] But the man who irritated Hamilton and Queensberry most was Halton, Lauderdale's brother—a brother, it may be remarked, for whom he appears to have had little respect.

The "brutall rascal" (Halton), now "moir imperious and insolent than ever" (thus Queensberry), should never have been allowed to finger the finances of Scotland, as a later exposure clearly showed. He was accused of having established a sort of partnership with the Duchess of Lauderdale, whereby the twain received great bribes; among other sources, from the principal towns, for giving warrants for illegal impositions within those towns.[3] A pretty game of "graft," truly! The venality of the takers of bribes was on the same level as the morality of the givers; but the givers, in their corporate capacity, may not have laid claim to morality; and certainly, Halton and the Duchess could plead that they were guilty of a practice that was far from infrequent in other directions. Queensberry tells Hamilton that all complain of Halton, and "are censible off his baisness"—all save the Archbishop of St Andrews. "The Duchess of Lauderdale" (continues Queensberry) would consult her own interest, "whatever befall her Lord," by "destroying" Halton, "better than by brybes and other ingyns."[1] But the Duchess, closely associated as she was with Halton in matrimonial, as well as financial projects, could not afford, just then, to throw him over.

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[1] *Hist. MSS. Com.*, XI., Pt. VI. p. 155.
[2] *Ibid.*, *Rep.*, XI., Pt. VI. p. 353.
[3] *Ibid.*, *Rep.*, XI., Pt. IV. p. 35.

For good or ill, Lauderdale had now thrown in his lot irrevocably with the Church, and Sharp and Alexander Burnet, on their part, were ready to co-operate with him in all his plans—provided these plans leaned towards severity. Their bitterness against conventicles grew more and more pronounced; and now that, for the first time, Lauderdale was their humble servant, they were not afraid to move with vigour. Accordingly, in December 1677, "the Bishops of Scotland" issued a series of remarkable suggestions "for suppressing disorders in the west." These suggestions were framed in so vindictive a spirit as to afford some ground for the belief of contemporary Presbyterians that the Bishops, and not Lauderdale, were the source of all their troubles. As we shall see presently, a decision had been taken to send forces to the West of Scotland to suppress a threatened rising. The Bishops urged that these forces should be empowered to exact such fines "as may be smartlie felt by the transgressors."

These fines were to form a fund "to reward such as shall approve themselves most faithfull and diligent in the present service"; and the soldiers were to have free quarters in the disaffected districts. A Committee of the Privy Council was to accompany the forces, and "for rendring the whole service the more effectuall," a Committee of Churchmen was to sit constantly in Edinburgh.[1] One of the most important of the suggestions was that heritors should be required to give bonds, under penalties, for obedience to the law, not merely for themselves, but for their tenants and servants as well. As far back as 1666, this outrageous stipulation had been considered by the Privy Council on the ground of expediency; and in 1674 it was again considered by the Council, but was rejected on account of its illegality.

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[1] *Hist. MSS. Com. Rep.*, XI., Pt. VI. p. 152.

In an undated address, presented by command to the King, and setting forth a series of complaints against Lauderdale's Administration, he is charged with "taking iniquitous bonds" from noblemen and gentry for the good behaviour of their tenantry, and putting "lawburrows" into force.[2] Lawburrows, an ancient process (occasionally practised in Scotland even at the present day) which bound over persons to keep the peace, was probably a suggestion of Sir George Mackenzie's, who turned to Lauderdale's side after his quarrel with his fellow-advocates, and who was now King's Advocate; he replaced, in September 1677, Sir John Nisbet.[3] It is noteworthy that in August 1677, the Privy Council received an instruction from the King that thenceforward, all officers of State were to hold their offices "only during pleasure," instead of for life as formerly:[1] a change that was clearly designed to intimidate them from opposing the measures of the Court. Sir George Mackenzie was not easily intimidated; but his identification with the administrative machinery of which, as King's Advocate, he was to become one of the main driving-wheels, earned for him the *sobriquet* of "Bluidy Mackinie," by which popular tradition has distinguished him. If Mackenzie was responsible for "lawburrows," who was responsible for the heritors' bonds? It has been shown that the clergy made the suggestion in December 1677, and there is no evidence that the instigation came from Lauderdale. He was now being driven by the Bishops, instead of driving them as of old; and Dr Airy[2] may be right in suggesting that the plan of letting loose on the West, 6000 Highlanders and 3000 of the Lowland militia, with the full approbation of the Bishops, owed its original inspiration to them. In November 1677, Lauderdale tells Danby of the arrangements that had been made to send the Highlanders to the West. He had given orders to call together the gentlemen of the disaffected shires, not that he expected much assistance from them in quelling the disorders, but "to try their puls and render them inexcusable."[3] The reply, as he expected, was unsatisfactory, the Marquis of Atholl[4] (soon to turn against him) and the Earl of Moray (soon to step into his shoes) being the only noblemen who responded to his call. "In the meantime," he goes on to say, "they doe not rise in armes in the West." "How soone they may take armes no man can tell; for as I have often said, they are perfitely Fifth Monarchie men, and no judgment can be made upon the grounde of reason what they may attempt." All possible preparations were to be made in case a rising took place, "for this game is not to be played by halfes. We must take this opportunity to crush them, so as they may not trouble us any more in hast, or else we are to expect to be thus threatened by them next year." He asks Danby to represent to the King the necessity of sending immediate orders for Lord Granard to come over from Ireland with a force of horse and foot, when called upon by the Privy Council of Scotland. Only in case of need, would the Council send to Ireland for assistance, but, in the meantime, Granard should send a "trustie man" to concert plans against the contingency.[1]

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[1] *Lauderdale Papers*, III. pp. 95-8. The King was told a very different story about the allocation of the fines—see later.

[2] *Hist. MSS. Com. Rep.* XI., Pt. IV. pp. 30-5.

[3] Kirkton (p. 381) says that Nisbet was turned out "because he refused to lend the Lady Lauderdale money."

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[1] *Cal. of State Papers, Dom. Ser.*, 1676-7, p. 320.

[2] *Lauderdale Papers*, III. p. 93 (note).

[3] *Ibid.*, III. pp. 89-90.

[4] He was created a marquis in 1676.

Danby's reply[2] gives the King's hearty approval of all that has been done and promises assistance, not only from Ireland, but from the North of England. And on 3rd December, the Earl of Perth offers the help of his friends and followers; he apologises for the insignificance of his contributions, but hopes that his "poor despised familie" will not be forgotten when favours are dealt out. Subsequently, with Atholl,[3] he became a bitter enemy of Lauderdale because, in their view, the rewards for their services were inadequate. Perth became a Romanist under James II., and a cruel persecutor of the Covenanters. The poverty of these Scottish nobles seems to have completely demoralized them.

The despatch of the "Highland Host" to the West, early in 1678, is the most severely criticized act of Lauderdale's Administration. It has been assumed by most historians that his object was to drive the Covenanters into a premature rebellion, in order to crush them all the more easily and effectively. Gilbert Burnet, now a permanent resident in England (he was afraid to return to Scotland, lest he should be laid by the heels by Lauderdale), says that the object of Lauderdale was to "force a rebellion,"[1] which the Court party thought would soon be quashed, and would give them a good excuse for keeping up an army. They hoped to divide the confiscated estates among them, "so that on Valentine's Day, instead of drawing mistresses, they drew estates." Their countenances, he says, betrayed their joy when they heard of an insurrection, and their despondency when they found it was a false alarm. That may have been true of some of the greedy hangers-on to Lauderdale's skirts, but the scale of the preparations that were made seems to forbid the suggestion that his object was provocative. Clearly a rebellion on an extensive scale was anticipated,[2] and the measures taken were precautionary. The local militia could not be trusted to put down the rebellion,[3] hence the importation of Highlanders (whose services were freely offered to him by Atholl, Mar, and others), and the proposed assistance (if necessary) of troops from Ireland and Northumberland. The situation was extremely difficult for an administrator who was firmly convinced that a dangerous rising was imminent.

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[1] *Lauderdale Papers*, III. pp. 89-90. [2] *Ibid.*, III. pp. 91-2.

[3] In a letter dated 4th October 1677, Lauderdale writes, "I have made a firme friendship betwixt the M. of Athol and E. of Argyll," so apparently it was after that date that Atholl broke with him.

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[1] Kirkton (p. 390) makes substantially the same assertion. At best it could only have been a suspicion.

[2] There were rumours, late in November 1677, that 10,000 armed men had met near Glasgow "to receive the Sacrament and renew the Covenant" (*Cal. of State Papers, Dom. Ser.*, 1677-8, pp. 47-8).

[3] "The militia," says Mackenzie (*Memoirs*, p. 329), "consists of Commons much inclined to that (Covenanting) opinion."

Driven by his nervous fears and by the Bishops' stimulation, Lauderdale took the extreme step of sending a body of lawless strangers to terrorize the West into submission. As we have seen, it had the complete approval of Charles and Danby.[1] But it was an irremediable blunder, notwithstanding.

The Hamiltonians were placed in an awkward predicament by these happenings. They dared not put their protests in writing, for fear of being charged with "leasing-making" which, under an ancient Scottish statute, was a serious offence. "The gentlemen looked on and would do nothing." At a meeting of the Council, Lauderdale (says Burnet) "made bare his arms above his elbow" (why this theatrical action?) "and swore by Jehovah he would make them enter into those bonds."[2] Hamilton came to Edinburgh "to try if it was possible to mollify him." But a proclamation was issued, ordering all inhabitants of the disaffected counties to go home to assist the King's forces, and obey whatever instructions might be sent to them. And another proclamation forbade anyone to leave the Kingdom without the Council's permission, thus preventing the Hamiltonians from laying their complaints before the King. Meantime, the Council's Committee with the forces had set up an Inquisition which required the heritors to purge themselves by oath from being accessories to rebellion. "And after all the inquries that were made, there did not appear one single circumstance to prove that any rebellion was intended."[1]

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[1] Mackenzie (*Memoirs*, p. 330) confirms the King's approval of the step.

[2] Burnet's *History*, p. 278. Among those who refused the bonds was Lord Bargeny, a nephew of Hamilton, and a fiery Whig who reproached the Western gentry with their timidity and on different occasions appears to have advocated the assassination of Lauderdale—without, however, attempting the job himself. Later he was prosecuted for sedition. Burnet says there was a "conspiracy" against him; but the facts are obscure. He figured in an unsavoury case with a woman, and in 1684 was Convener of a Commission for punishing conventiclers in Ayrshire (see *Lauderdale Papers*, Burnet, and Fountainhall).

It is not easy to accept with confidence this complacent conclusion of Burnet's, for other contemporary evidence is opposed to it. Gradually the conventicles, originally religious meetings of unarmed enthusiasts, had changed their character. Kirkton, himself an "outed" minister, admits that in 1675, the conventicles "were brought to resemble armies, the thing in the world the Bishops hated most," and had become "so numerous and formidable, our State thought fitt even to forbear what they could not help."[2] He adds that the "men went ordinarily with arms," and that "much violence was used and indiscretion upon both sides." "The people," he says, "were sometimes as much judges as disciples."[3] These statements are confirmed by Sir George Mackenzie, who affirms that the "fanatics hounded out all their preachers" to keep conventicles, in such numbers and so well-armed, that the Privy Council was much troubled to know how to act.[4] By the Bishops and their supporters, Lauderdale's attempts at conciliation were blamed for these disorders, and there were malicious rumours in London and Edinburgh that the Duchess "has been promised great sums of money by the fanaticks."[5]

In January 1678, the Earl of Perth sent Hamilton a copy of a letter written by a renegade Presbyterian, betraying a plot, hatched in October 1676, for taking up arms. Many of the gentry were implicated, and the Duke of Hamilton (so the spy reported) had been approached through his factor to lead the insurgents. Hamilton would give no positive answer, but he allowed conventicles to be held on his property, and he desired the plotters to manage all things "with secrecy and prudence." Arms were sent from Holland, and were concealed in Glasgow and Edinburgh, and many were found in London for the cause. Preparations were made for a rising at the beginning of 1677.[1]

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[1] Burnet's *History*, p. 278.
[2] Kirkton, p. 352.
[3] *Ibid.*, p. 362.
[4] *Memoirs*, p. 322.
[5] *Ibid.*, p. 322.

This letter had passed through Lauderdale's hands, and may have had a considerable effect upon his attitude towards the Covenanters.[2] The spy may have been a Scottish Titus Oates, and the bulk of his statements is at least questionable. But the point is, that the cumulative evidence of the threat of armed resistance was sufficiently strong to arouse alarm, and to justify the employment of extraordinary measures of precaution.[3] The Privy Council confessed their inability to cope with the danger unless the troops at their disposal were reinforced. From that standpoint, the use of the Highlanders as a police force was justifiable. What was not justifiable was the licence they were permitted. They were let loose upon the disaffected districts in Ayrshire at free quarters, and were instructed to disarm the inhabitants and enforce the bonds with the utmost rigour. They were encouraged to harass and plunder the people at their will. They were allowed to treat the occupied districts as if they were a foreign country in the hands of a merciless enemy. A word from their Chiefs, and these Highlanders—"the very scum" of the hills though they were said to be—would have behaved like gentlemen and not like bandits. But their Chiefs were concerned with the extortion of fines to replenish their depleted resources: and their Chiefs' employers were bent upon terrorizing the people into submission. Uncouth in mien; foreign in language and habits; and a prey to the predatory instincts in which they were bred, the Highland Host left so deep an impression upon the West, that all traces of a rebellious spirit were temporarily driven below the surface. The West was effectively cowed, and the object of the Government was achieved. But the Highlanders' expedition rebounded against its authors, and was the first push that sent the Lauderdale Administration tottering to its fall.

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[1] *Hist. MSS. Com. Rep.*, XI., Pt. VI. p. 157.

[2] In a letter to Lauderdale dated 11th February 1678, the Duke of York says he has reliable information that "the Phanaticks in Scotland have a design upon the Castel of Edenburg." (*Lauderdale Papers*, III. p. 99.)

[3] If Dr Hickes, Lauderdale's chaplain, is to be believed, Welsh, the Covenanting preacher, told "a vast congregation of his western disciples" that they would be "hanged" when the troops came; therefore it was better for them to resist "and fight the Lord's battles with their swords in their hands." So "they resolved to rebel." "I wish," adds the reverend writer, "they would try as they did in 1666 whether God would work miracles for them or no." (Ellis' *Original Letters*, 2nd Ser., Vol. IV. p. 46.)

The Highlanders were sent home after a month's unaccustomed experience of unlimited licence that met with no resistance. They were laden with plunder, insomuch that "you would have thought by their baggage they hade been at the sack of a besieged city."[1] The heterogeneous collection of "pots, pans, girdles, shoes taken off countrymen's feet, and other bodily and household furniture with which they were loadened"[2] widened their conception of the comforts of civilization. But it is not stated that there was any loss of life. The spoil they took of the Sassenach was an education to the Highlanders.

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[1] Kirkton, p. 390.

[2] *Ibid.*, p. 391. Law (*Memorialls*, p. 137) asserts that goods valued at 100,000 merks Scots were said to have been taken out of the West.

"My lords, they so harasse and wrong us
There's scarce a pair of shoes among us
And for blew bonnets they have non
That they can get their clauts upon."

(Colonel Cleland on the 'Highland Host,' Somers' *Tracts*, VIII. pp. 505-6.)

The Hamiltonians were paralyzed by these measures. When a rendezvous of the forces at Stirling, in January, was intimated by the Privy Council, Hamilton, as Sheriff of Lanarkshire, was ordered to attend a meeting of a Committee of the Council at Glasgow. He pled "sciatica" as a reason for non-attendance, just as Lord Stair, to avoid signing the Council's orders, "pretended that by a fall his hand was out of joint." But Hamilton's "sciatica" did not save him from being "put to the horn" for refusing to take the bonds.[1] Queensberry's letters to Hamilton in February 1678, show how effectively the Highland Host had cowed the West. "Sutch is the greatt terror," he writes (from Sanquhar), "the Hylanders and methods now taikn occasions hear that the whoill tennentrie offers what can bee desyrt, tho I'm sheur nather they nor many of ther masters desygn performance." He himself had given orders that those of his own tenantry who refused to sign the bonds (only twenty of them), should be turned off their land or imprisoned. Most of them were Annandale people, "and know no moir off religion or civell deportment then bruts." He had not signed the bonds himself, but would return his subscription "in a competent time." What (he desired to know) had Hamilton done? Those who had signed and those who had refused to sign were equally "honest" (loyal). The disarming of Hamilton's country, it was thought, had encouraged refusals to sign, "for it's hard to mack brick without stra or suppres rebellious meetings without armes." He did not wish to give any pretext for these "barbers" to come their way, hence he had not dissuaded his people from signing. As to making peace with Lauderdale, he declares he is not "under tearms of capitulation" with that party. If Hamilton thinks fit to secure himself without him, he will not repine. Queensberry, in short, "hedged."[1]

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[1] Law's *Memorialls*, p. 137.

In April 1678, the centre of interest shifted to London. In defiance of the proclamation which prohibited anyone from leaving the country without a licence from the Privy Council, a party consisting, among others, of Hamilton, the Earls of Roxburgh and Haddington, and Lord Cochrane, had come to Court to lay their grievances before the King[2]; and they were reinforced by Atholl and Perth, who were now the avowed enemies of Lauderdale. To counteract their influence, Lauderdale sent the Earl of Moray, Sir George Mackenzie (the Advocate), and Sir James Fowlis of Colinton, from Scotland.[3] The Hamiltonians secured the countenance of the Duke of Monmouth, whom Shaftesbury was now backing, and whom the Marquis of Atholl was priming with statements adverse to the Lauderdalian Administration. On the other hand, Lauderdale had the powerful support of the Duke of York and Danby, and above all, had the continued confidence of Charles himself, who was reluctant to believe any ill of one who had proved himself such a faithful servant of the Crown.

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[1] *Hist. MSS. Com. Rep.*, XI., Pt. VI. pp. 159-160.

Writing to Dr Hickes in 1678, a "Scottish Gentleman" tells him that the Covenanters were strongest in the West and in Fife, where the "rich traders and heritors" were. He adds: "But as for the Highlands and other poorer counties, they have no Christian compassion for them, but let them live and dye in ignorance and idolatry, because their souls are not so precious for want of silver and gold." (Somers' *Tracts*, VIII. p. 542.) How, then, could the Highlanders help being "barbers"?

[2] *Lauderdale Papers*, III. p. 107. Kirkton says (p. 391) there were sixteen noblemen attended by forty gentlemen "of the best quality."

[3] *Hist. MSS. Com. Rep.*, XI., Pt. VI. p. 160.

In a letter to Lauderdale dated 28th March 1678, the Earl of Arran[1] gives him an account of an interview with the King, in which Charles expressed his views with freedom. He knew Scotland, he said, "pritty well." He had found the reports he had received about the proceedings in the West to be "false as hell." "As he was a Christian," he could not see what else could have been done to prevent open rebellion. He was sure that "the Phanaticks" made use of religion "as a pretence only." Matters had come to such a pass that severity was necessary, for the nonconformists now held conventicles of three or four thousand men, most of whom were armed. The law had been more severely enforced in England than in the West of Scotland; the hundred of Twickenham (for example) had paid in a year £3000 sterling for robberies committed on Hounslow Heath. It was no hardship to make gentlemen in Scotland answerable for their tenants, for there was no nation in the world where the tenants had so great a dependence upon the gentlemen as in Scotland. All the landlords had to do was to punish them, according to law, when they went to conventicles, either by handing them over to justice or turning them out of their lands; and if they all did so, peace would be secured. "The Commons in Scotland could do nothing without a head," but there were some people who, because they were not in office themselves, (a palpable hit) and had a prejudice against the

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[1] Afterwards 4th Duke of Hamilton. He was a young man who, on returning home from abroad, treated Sharp with uncustomary disrespect. "Why," he asked, "should he kneel and crave his blessing?" Why, indeed?

King's servants, stirred up the people to rebellion. It was foolish for Scotsmen to stir up trouble in England, or endeavour to make a rebellion in Scotland, for if it began there and spread to England, and England became a Commonwealth, "Scotland wold be a province nixt summer after"; which the Scots would certainly not like. They did not like it, commented Arran, the last time it was tried; and those who were breeding trouble had as good estates and as much to lose as anybody.[1]

Such being the King's frame of mind, it may be readily imagined that the Hamiltonians had a cold reception at Court. Charles believed that the Scots had "the best laws off any people in the world,"[2] an opinion which, curiously enough, seems to have been shared by Halifax, who declared (in 1679) that "he saw that the Scottish nation was more free than the English";[3] the administration of the laws apparently being alone reprehensible. Charles was ready to listen to the Hamiltonians if they did not attempt to tamper with the French Ambassador, or the members of the House of Commons. The attitude of the King towards the grievances of Hamilton and his party seems to have cooled their reforming ardour. Charles approved of the bonds and the enforcement of lawburrows as both just and necessary; and as for the free quartering on the West, he was assured by Lauderdale's friends that it was never the intention of the Privy Council to sanction it, except in cases of actual rebellion. Further, it was alleged to be the intention of the Council to pay for quartering out of the fines.[1] Hamilton then took a new line. He made "greatt asseverations" of his loyalty, and boasted of his services against the Covenanters in 1666. He stated that his sole object was to complain against injuries done to himself. How, indeed, could he be expected to have any sympathy for a popular cause? The other members of the party took the same line. Thus the complaints were narrowed down to such comparatively trivial matters as the loss of some horses, and other personal injuries of the same nature. Indeed, the Duke of York had some justification for his remark, that the Hamiltonians' grievances were well described by the Scots proverb: "*Mekill dine and littill dirdume.*"[2] The discomfiture of Lauderdale's enemies was exemplified by the action of Atholl and Perth who, "in a most humble maner," petitioned the King for pardon, and engaged not to meddle any more in public business.[3]

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[1] *Lauderdale Papers*, III. pp. 99-102.
[2] *Ibid.*, III. p. 104.
[3] *Life and Letters of Sir George Savile, 1st Marquis of Halifax*, by H. C. Foxcroft, I. p. 173.

It must be confessed that the Hamiltonians, who were cried up by the House of Commons as "noble patriots," made a sorry spectacle when confronted by the danger of arousing the King's displeasure. Hamilton might tell Danby, with an oath, "that he would as lief goe to Turkey" as live in such slavery as they had to endure in Scotland.[4] But when it came to the point, his complaints centred on the loss of his own horses, and not on the loss of his country's liberties. How could he and his friends justify any claim to represent the people? They had not shrunk from oppressing them in the past, and in the recent action against them, the tenants (so the Earl of Moray told Charles) had charged their masters with having "brought this troble upon them," for had they been allowed, they would have been obedient to the laws. The only member of the "mutinous lords" who showed a manly spirit was the Earl of Cassillis, a fearless son of a fearless father. He had the courage (or the imprudence) to present the country's grievances in an address (Charles called it a "silly paper") and, as the result, was ordered back to Scotland as a prisoner to be tried for leasing-making.[1] The other lords were careful not to put their signature to anything in writing, thus avoiding the fate of Cassillis.

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[1] This does not accord with the Bishops' suggestions of December 1677. See *ante*.

[2] *Lauderdale Papers*, III. p. 126.

[3] *Ibid.*, III. p. 114.

[4] *Ibid.*, III. pp. 132-3.

It was with the greatest difficulty that they obtained an interview with the King, who showed his displeasure by denying them the bliss of kissing his hand.[2] Had it not been for the fact that he had one eye on the House of Commons and the other on Scotland, Charles would probably have refused to see the "mutinous lords," and would have delivered them up to the consequences of their having come to London without a licence. But having no desire to provide the Commons with a bigger handle for attack than he could help, he overrode the proclamation of the Privy Council of Scotland which, by coming to London, the Hamiltonians had defied; he showed an anxious desire to remove one of the main grievances, by paying for quartering in the West of Scotland; and he essayed to keep Hamilton quiet by restoring his horses. He wished to make the English Parliament believe that he was personally investigating the complaints of the Scottish lords.[1] If Scottish affairs were discussed in Parliament, the members could be legitimately told that they were meddling with matters that did not concern them. To Charles, the most distressing feature of these Scottish troubles was their repercussion upon English politics, with which alone his personal interests were closely bound up. Had it been possible to keep English and Scottish politics in watertight departments, he would not have suffered the troublesome country across the Border to be such a drain upon the slender resources of his industry and patience. These "mutinous lords" advocated a Scots Parliament as a cure for their national disorders. Parliaments! the word stank in the Royal nostrils. The only use he had for a Parliament was to find money for him with some show of legality; and he had already drained Scotland fairly dry.

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[1] *Hist. MSS. Com. Rep.*, XI., Pt. VI. p. 160.

[2] Much to Lauderdale's annoyance, Charles made an exception in favour of the Earl of Kincardine.

The King had two hours with Hamilton and three of his companions on 25th May. But the two hours could have been compressed into two minutes if Charles had come to the point at once. For he had conceived a pretty dilemma on the horns of which he proposed to impale the "mutineers." He could not, he said, consider any complaint against his Privy Council of Scotland (it was an ominous circumstance for the lords, that Kincardine had just been "scrapt" out of the Scots Council in England) unless they were put in writing and signed. Now the Scottish lords well knew that if they signed written complaints, they would put their heads into the noose of leasing-making. Charles knew it also, and one supposes that the knowledge must have amused

[1] *Lauderdale Papers*, III., p. 119.

him. For since they refused to sign a statement of their grievances, he could only look upon these stories (so he asserted) "as spok at randome." Altogether, the interview in Secretary Coventry's office was completely depressing for the petitioners, and from the standpoint of Charles, just as completely satisfactory. And yet, he left the room "in a huff" with his petitioners, insomuch so that Perth and Kincardine who were waiting in the outer room, seeing that he was "angrie," quietly "slipt away."[1]

On 30th April, the Earl of Moray told Lauderdale that a letter had been received from Amsterdam by a friend in England "which is seasonable"; it was being sent to him "by this paiquit." Perhaps this was the letter, dated 18th April 1678, addressed to "my kind co-operator," in which the writer in Amsterdam (or purporting to be in Amsterdam) announced the intention of the Whigs, in combination with the Dutch and the malcontents in Scotland, to make an effort to overthrow monarchical government in Britain. The secret service of the Court party was efficient, and this letter may have fallen into their hands. Or, Moray's allusion may have been to a letter from a Government spy, disclosing the scheme that was afoot in Holland. The letter to the "kind co-operator" urges that the baits he must fish with are "the bag and the bottle." "The surest way to catch an Amsterdammer is by the belly." The writer continues: "Tis fine to see our Scottish friends trace the old methods of 1640. And how everything hits to improve the brotherly correspondence; lords and grievances came then together out of Scotland. God send us good luck: you know what followed. They then went to Court one day; another day to conventicles and conclaves in London. Advise them to do so now. A new bustle against that Government began an: 1674. We and our party at the same time began the like bustle at Westminster. They and we have walkt hand in hand like brothers ever since. What have we to do next but to revive and rake that phoenix, the Covenant, out of his ashes?"

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[1] *Lauderdale Papers*, III., pp. 149-150.

". . . It is glorious for Scotland that it hath the honour to lead the dance."

"What a dull brute of late is the subject of England. Therefore (as the old song saith), 'blew cap for me.' Our men of that nation (Scotland) write, preach, and fight too; they have got likewise the right knack of distinction, and understand the way of supplicating the King's favour against his authority. The sum of all is: get out the great loon (Lauderdale) there, and perhaps none else can saddle or mount then for his Majesty's service. I like that course consulted by our good friends, that if he cannot be impeached in Scotland it is but turning the table, and you may do it in Westminster. The pitcher hath two ears; if you cannot lay hold of one side, take him by the other, and dash him to the ground. Remember his name is not only Lauderdale but Guilford too. The honest Covenanters have been whetting their pens at him these five years, so have we our spleen in England. We have spent the most part of our gall in inkpots. Try what the rest will do in a round charge or two. Nevertheless write on still. I am sorry we have lost the prime pen (query whose ?), therefore make sure of Andrew (Marvell). He's a shrewd man against popery, though for his religion, you may place him as Pasquin at Rome placed Henry the Eighth, between Moses, the Messiah, and Mahomet, with this motto in his mouth, *Quo me vertam nescio.* It is well he is now transferred into politicks; they say he had much ado to live upon poetry. What a blunt tool the people's become! No mutiny! However, let him whet on till they take an edge, and be sure that you and the rest of our comrades whet him."[1]

Then follows advice on the tactics to be pursued.

"Say all you can to befool the foreign confederacy, and frustrate it; for what was wisdom last summer is none now. Do all you can to spoil this meeting also (of the House of Commons); then follows no money; urge that point long and loud; it may force the Court to do that which we have occasion to rail at afterwards and rouze men with a witness. Ply the Northern supplicators (the Hamiltonians) and let them ply you. Gather the Quakers and fanatics under the wing and allow them now for Protestants, for all the Act of Uniformity. Be kind and give them a little opium, so they may forget the tyranny of their elder brother (the Church of England) and be all one again; then the new cause may prove as good as the old one."

Support is given to the idea of a Remonstrance, "but under some other name. Go back to 'Forty-one'; there is your perpetual pattern. . . . For a new model of State and statesmen, commend me to the nineteen propositions to begin with."[2]

For cleverness of form and cynicism of tone, this letter would be hard to beat. And its importance may be gauged by the fact, that the course advocated by the writer was followed so closely, as to suggest with irresistible force, that it gave the desired lead to the enemies of the Court. Recent events in Scotland had provided the latter with an opportunity of pressing home a decisive attack upon Lauderdale. The quartering of The Highland Host in the West; the enforcement of the bonds; the operation of lawburrows; the rigorous imposition of fines; these constituted, separately and cumulatively, a list of grievances upon which a formidable indictment could be based. And there were other matters of a more personal nature, that could be usefully added to swell the charges against the Dictator of Scotland. They were all collected in 1679 in an address to the King, which set forth certain "matters of fact" bearing upon the alleged mal-administration of Lauderdale. One of these charges was: "bringing a man to die whom he had persuaded to confess upon hopes of life."[1] The allusion is to James Mitchell, whose case forms a notable episode in Scottish history.

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[1] The "comrades" whetted him to some purpose, and the result is seen in "Andrew's" pasquinades, Lauderdale being one of his chief victims. Marvell was Cromwell's Latin Secretary, and assisted Milton when the latter acted in that capacity. He was a political asset of considerable value to the Whigs.

[2] Somers' *Tracts*, VIII. pp. 86-9. The letter also appears in *State Papers, Dom. Ser.*, 1677-8, pp. 121-2.

In 1668, Mitchell, described by Kirkton as "one Mr James Mitchell, a weak scholar," attempted the assassination of Sharp, who escaped unscathed, the pistol-shot lodging in the wrist of the Bishop of Orkney. This attempt caused the postponement, until the following year, of the First Indulgence to the Presbyterians. Mitchell escaped, but in 1674, was arrested by Sir William Sharp, the Archbishop's brother. At first, Mitchell denied his guilt, but subsequently, in a private interview with Chancellor Rothes, and upon receiving from him an assurance of pardon, confessed his identity with the assassin; and later, repeated his confession before the Privy Council. Nesbit, the King's Advocate, was instructed to prosecute him for the crime, to which was added the charge of having taken part in the Pentland Rising in 1666. In an Act by the Privy Council of 12th March 1674, it was stated that a promise of his life had been given to Mitchell; that he had consequently signed a confession; that he had withdrawn the confession before the Court of Justiciary; and that the Council had therefore withdrawn their promise of life. There the matter, for the time, ended. The prosecution was dropped; but Mitchell was kept in prison.

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[1] Somers' *Tracts*, VIII. p. 505.

Early in 1676, after an unsuccessful attempt by Mitchell to escape from prison, he was tried for his complicity in the Pentland Rising, and was put to the torture by order of the Privy Council. Two years later, in consequence of "new discoveries" which had been made of a design to murder Sharp, Sir George Mackenzie, now King's Advocate, was ordered to commence a new prosecution of Mitchell, for whom, by Mackenzie's special desire, Sir George Lockhart, his great rival at the Bar, was appointed counsel.

We have, from the pen of Dr George Hickes, Lauderdale's chaplain, an account of some incidents of the trial that are amusing to his readers, even if their humour did not appeal to the reverend writer himself. Hickes was, of course, a devoted partisan of Lauderdale. He describes the coalition against Lauderdale as the result of jealousy. The Hamiltonians, though "all are not professed fanatics," fomented trouble, "because (forsooth) they have not the chief administration of affairs." They did all in their power to promote "an ill opinion of my Lord." Of these "patriots," he remarks that "some wish the ruin of the Church and all of them the ruin of my Lord Duke." Hickes, himself a devoted Churchman, repudiated the popular belief that Lauderdale's interest in the Church was lukewarm. He would not retain his post three days "if my Lord were not true to the Church." He has nothing but praise for his master's demeanour in such troublous times. "You cannot well imagine what daily pains and troubles he undergoes here; what knotty businesses he is to go through, and yet how cheerful, serene, and undisturbed he is, as if he had neither enemies nor anything to do." And he cautions his correspondent to expect to hear "a thousand lying stories and misrepresentations of what is done here."[1]

Such being the sentiments of Dr Hickes, he was doubtless prepared to find himself unpopular in a Scottish Court of Law, at the trial of a man whom he describes as "a bloody saint." The Court, he says, was full of "disaffected villains," from whom, owing to his "habit and profession," he was compelled to suffer "many affronts." They "railed at my black coat . . . and bespit it all over, and pelted me now and then with such things as bits of apple and crusts of bread."[2] So little respect had a Scottish "rabble" for an (Episcopally) black coat. It is all of a piece with the rabbling of the "curates." They, poor men, were sometimes treated by the roughs as if they were malefactors, instead of ignorant shepherds who were quite content to be deprived of their flocks, so long as they were not deprived of their wine and their women. And perhaps to the Bishops themselves, the most galling feature of their relations with the people was, that they were regarded, not with fear, and still less with affection, but with undisguised contempt.

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[1] Ellis' *Original Letters,* 2nd Series, IV. pp. 42-7.

[2] *Ibid.,* 2nd Series, IV. p. 51.

Sir George Mackenzie, whom Hickes, from his English standpoint, describes as "almost the only great man of this country," prosecuted, "like a gallant man and a good Christian," the "Presbyterian Ravaillac." To him and to Lockhart, as keen lawyers, it was an "interesting case." The legal subtleties in which it was enmeshed were sweet morsels to be chewed, digested, and enjoyed. But the public interest in the case was centred upon a single feature. Here was a man who was promised his life by the Chancellor, and subsequently by the Council; and the promise was not fulfilled, for he was condemned to "glorify God in the Grassmarket," to use the alliterative phrase which Burnet attributes to Lauderdale. The latter, with Rothes, Halton, and Sharp, had been called as a witness for the prisoner, to testify to the promise having been given, but he "denied it stiffly"; so, too, did the other witnesses. Sir Archibald Primrose, keenly resentful of having been turned out of a lucrative post,[1] and wishing to be revenged on Lauderdale, had sent Lockhart, Mitchell's advocate, a copy of the Council's Act, which was produced in Court. The books of the Council were called for, but Lauderdale intervened with the objection that they contained the King's secrets, and that no Court would be permitted to peruse them. The judges were divided in opinion, but a majority decided that it was not their business to furnish evidence for the prisoner, but to adjudicate upon the evidence actually provided. The copy of the Act produced by Lockhart not having been attested, was (justifiably) not accepted as evidence. And so Mitchell was "cast and condemned."

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[1] Kirkton (p. 383) says he was turned out by the Duchess of Lauderdale to make way for Sir Thomas Murray, a friend of her own, who agreed to hand over the profits of the post. Kirkton and Burnet are in direct conflict about the bribability of Nesbit, the King's Advocate whom Mackenzie displaced.

Subsequent events seem to show that Lauderdale was sincere in the belief that no promise had been given; apparently he had forgotten the circumstances, which, it should be observed, had occurred four years previously. But after the trial, on discovering from letters he had written to Kincardine, who was at that time (1674) his representative at Court, that a promise had been actually given, he wished to grant a reprieve to Mitchell and lay the whole matter before the King. He supported a petition to the Council in Mitchell's favour, but Sharp was so strongly opposed to a reprieve, that Lauderdale gave way. This account of Lauderdale's part in the affair comes from Burnet,[1] who had it from Primrose. Both, it should be remembered, were enemies of Lauderdale, and were not in the least likely to extenuate his guilt in the business. It was a discreditable business in varying degrees for all the Councillors concerned; but as to the charge against Lauderdale of "bringing a man to die whom he had persuaded to confess upon hopes of life," it is difficult to conceive of a more wilful perversion of the facts.

Equally ill-grounded (so far as the evidence goes) was the charge made by Burnet that Scotland "apparently" was "in a French management."[2] The immediate cause of this accusation was the encouragement said to have been given by Lauderdale to recruiting in Scotland for the French Army. The Dutch, equally with the French, were now entitled to make levies in the dominions of Charles. But (according to Burnet) Lauderdale, not content with using his influence in the French interest, actually pressed men into the French service; imprisoned conventiclers, among others, being handed over to the French officers; while the public jails and the Castle of Edinburgh were utilized as places of safe keeping, until the transports were ready to ship the men. On a complaint being made by the Spanish Ambassador, these levies were prohibited, but Lauderdale held back the proclamation until the ships that had levies on board had actually sailed.[1]

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[1] *History*, pp. 275-7.

[2] *Ibid.*, p. 271.

In March 1677, two Scottish soldiers, who had been recruited for the regiment of Lord Douglas in France, were captured in the Channel (after the proclamation had been issued) and were "closely questioned and cajoled by Lauderdale's enemies" (Scots) with the view of incriminating the Duke. Their information was taken before Sir Joseph Williamson, and one Robert Murray, an agent of Hamilton, told them afterwards that "he would go to Lord Shaftesbury and get some money from him for them." And in a paper signed by the men, a clause was inserted about "the cutting off of some soldiers' ears." The affair called for inquiry, in the course of which, one Major David Ogilvy declared that he heard Murray press the Marquis of Manchester to "stir in this business," and "he would get the blessings and prayers of many distressed people" in Scotland. He heard the Marquis reply: "Trouble not yourself, for if this business go on, we'll swing him (Lauderdale) for you."[1] But in the end, Murray was sent to the Tower, and was afterwards lodged in the Gate-house, for suborning false witnesses against the Duke.[2]

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[1] *History*, p. 271.

In a letter from Lauderdale to Danby, dated 28th August 1677, he acknowledges the Treasurer's friendly offices "in the business of that little rogue Murray (whom my Lord Shaftesbury in his letter stiled 'Deare Mr Murray')" and comments upon the "scruples" that were shown to send him to Scotland in accordance with a request made by the Privy Council of Scotland.[3] "He is a pestilent fellow," declares Lauderdale, "and keeps dangerous correspondences hear."[4] The "pestilent fellow" would never have escaped with his life had he been sent to Scotland.

This is an example of the lack of scruple shown by Lauderdale's enemies in the attempt to hound him out of public life. Sir George Rawdon, writing to his uncle (Viscount Conway) in November 1677, makes the remarkable statement that the discontent in Scotland was believed to be fomented in France;[5] which is rather a curious commentary on the alleged services of Lauderdale to the French King. Taken in conjunction with the fact already noticed, that when the Hamiltonians were in London in 1678, Charles suspected them of tampering with the French Ambassador, and having regard to Lauderdale's close alliances with

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[1] *Cal. of State Papers, Dom. Ser.*, 1677-8, pp. 14-16.

[2] *Ibid.*, p. 318. In a letter to Secretary Coventry, dated 6th November 1677, Lauderdale reports attempts in Scotland to raise recruits for France and urges their prevention (*Hist. MSS. Com. Append. Rep.*, IV. p. 249).

[3] *Cal. of State Papers, Dom. Ser.*, 1677-8, pp. 318-9.

[4] *Lauderdale Papers*, III., pp. 86-7.

[5] *Cal. of State Papers, Dom. Ser.*, 1677-8, p. 449.

Danby, the inveterate foe of the French interest, the conclusion seems irresistible that Lauderdale's relations with France were wilfully or ignorantly misconstrued; or that they were incomprehensibly variable. Hickes, his chaplain, declared, indeed, that Lauderdale had taken care to *prevent* the French officers from levying recruits in Scotland, and he hoped that this would prove a welcome fact in England to all but those who would have him "reputed of the French faction, because it is so odious a character in our country."[1] It was, in truth, at that time almost as odious as being a suspected Papist, in which character, as a pendant to his supposed pro-French sympathies, Lauderdale's enemies sought to represent him.[2]

Decidedly there was material in abundance for a concerted attack upon Lauderdale. It was possible, indeed, to take hold of the "pitcher" by both ears.

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[1] Ellis' *Original Letters*, 2nd Ser., IV. p. 43 (see note 2, p. 427).

[2] See Somers' *Tracts*, VIII. p. 505.

CHAPTER XXIII

The House of Commons had fallen upon all the Ministers, and ordered the preparation of an address to the King, praying for their removal from his person; "to which they have by name added the Duke of Lauderdale." So, on 7th May 1678, wrote the Duke of York to the Prince of Orange, adding the unwelcome news that "there will be no possibility of carrying on the war, now that the factious party in the House of Commons does prevail."[1] And three days later, the Duke informs the Prince that the House of Commons have completed their address, with the addition of Lauderdale's name, "which is such a way of proceeding as will discourage all the allies and make us here not know almost what to do."[2] It was an excellent excuse for the detachment of England from the coalition against France, of which England was to have been the corner-stone. Believing himself secured (an ill-grounded belief as events showed) by the secret pension arranged with Louis,[3] Charles was provided with the means, temporarily, of defying the Commons, and wriggling out of his engagements with his Allies on the plea of domestic troubles. And the Peace of Nimeguen, which supervened upon the disruption of the Alliance, left Charles and Louis, each in his own sphere, masters of the situation.

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[1] *Cal. of State Papers, Dom. Ser.,* 1678, p. 161.

[2] *Ibid.,* 1678, p. 168.

[3] The pension was six million livres. Louis tried to wriggle out of the payment, but discovering that Charles was still necessary to him, he continued to subsidize him until 1684, when he stopped all payments. By that time he had come to the conclusion that Charles was of no further use to him.

The attack on Lauderdale by the Commons is described in a lengthy letter to the Duke from his agent, Sir Andrew Forrester, dated 9th May 1678.[1] The draft of an address to Charles, prepared by a Committee of the House for its approval, charged Lauderdale with having given "pernitious councells to the King, dishonourable and destructive to the nation." Lauderdale's friends in the House desired to have particulars. If they related to Scotland, they were "not lyable to the cognisance, much less to the censure of the House, or any Judicature" in England. If they related to England, let them be named, and the proofs produced. Upon the names of the Marquis of Atholl and the Earl of Perth being mentioned, as persons who had given trustworthy reports of Lauderdale's misgovernment, the reply was made that Atholl and Perth were both members of the Privy Council of Scotland, and had been "as deep as any others in advising and executing" the resolutions of the Council; that not only was Atholl Captain of the King's Horse Guards, but "he was the first to move in Council that the Highlanders should be brought to the West"; and that, instead of the 1000 men he had undertaken to send, "he had brought nearly 2000." As for purely English concerns, if they meant Lauderdale's acts when a "rebel," a general pardon had already been given by the King. If they meant his post-Restoration acts, the House of Lords would have something to say to them if the Commons dared to touch a peer of the realm without their concurrence. As the Earl of Guilford, Lauderdale could be proceeded against only by legal impeachment.

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[1] *Lauderdale Papers*, III., pp. 133-143.

Finally, the Court party moved for the address to be divided into two paragraphs, the Narrative and the Request, for the consideration of the House. The Narrative was so well debated by Lauderdale's friends that the opposition "had not a word to say of reason, equity or law." On a vote being taken, whether the first paragraph, or Narrative, should be expunged or not, it was carried in the affirmative by one vote only (152 for, 151 against). The Narrative having been thus disposed of, the Request hung, so to speak, in mid-air. But it went to the vote notwithstanding, and its approval was negatived by a majority of four votes (161 against 157), the difference in the numbers being accounted for by the fact that before the second vote was taken, "ther came in 15 Members from eating-houses," some of whom were dragged from their dinner to vote for Lauderdale.

It was a near thing for the Duke, but for the time, he escaped. An attempt was made to re-commit the business of the Committee, but the Speaker ruled that the House having "totally rejected the address, the matter was quite fallen," and could not be revived without giving new powers to the same, or a new, Committee. "By this time they were obliged to call for candles; for your friends were resolved to give the party their bellyful of it." The debate continued in a lively fashion and was ended by the adjournment of the House. Forrester warned Lauderdale that his friends were "apprehensive the other side will yet have a pull at it once more, not so much for you, as that they may, by prevaileing against you, have the lesse difficulty in overturneing all the rest of the King's Ministers here." The Danbyan citadel, in short, was to be reached through the fall of the Lauderdalian outworks.

The King was following the attack on his favourite with the keenest interest. Henry Savile, having distinguished himself as the only Court official who voted and spoke against Lauderdale, Charles was "mightily displeased with him." So great was his displeasure, that "when he was late that night goeing to bed, and Saville comeing in after his ordinary way, the King, upon the first sight of him, fell into such a passion that his face and lipps became as pale (almost) as death, his cheeks and armes trembled, and then he sayd to Saville: 'You Villayne, how dare you have the impudence to come into my presence, when you are guilty of such basenes as you have showne this day?'" Is there any other instance on record, one wonders, of Charles II. flying into a furious passion?[1] He sent Savile packing without further ado, and afterwards turned Sir William Lowther out of his place in the Custom-House for having voted against his Ministers.

We must now cross the Border once more. To avoid the trouble of issuing certificates against those who refused to take the bonds, the Privy Council, early in 1678, had adopted another method. They proceeded against the refusers by "law-burrows," and put them to the "horn" at the King's instance. As we have seen, Hamilton was dealt with in this fashion. Rothes, more concerned apparently for Hamilton's dignity than for any straining of the law, opposed the change. It was, he said "the mark of the beast," for the Cromwellian "usurpers" had practised it. He warned

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[1] Mr Lang (*Sir George Mackenzie*, p. 160) cites another instance.

Lauderdale that for his own sake, he ought not to suffer "so strange a practice as to disarme a Duke without laying to his charge any sort of crime." Lauderdale returned an "unmannerly answer," and some "warm words" passed between them. "Each of them upbraided (the) other as the cause of disorders in the country." "There are few honest men," remarks Queensberry in his letter to Hamilton, relating these incidents, "but say that if Duke Hammiltone be putt to walk without his sword, they will even lay aside theirs, and beare him company."[1]

The writer of this letter was striving hard to play successfully the part of Mr Facing-both-ways. He had been ordered to send his regiment of militia to Lanarkshire—Hamilton's country. He asserts that he tried to delay the departure of his men, "but got a most piquish and perremptor letter" ordering the regiment to march immediately for Clydesdale. He feared that the troops from Annandale would be "worse than the Hylanders;[2] besydes the offishers off the whoill ar the scum of the countray, and all beggars sav 2 or 3, and most overjoyt att ther honnourabell imployment." We learn from a later letter that Hamilton had said "sevear things" of Queensberry for having sent his men to Lanark. Queensberry protested that he had given orders to his people ("most whereoff returned ere they gaitt ther") to treat Hamilton's country tenderly, and no harm had been done. And even if they had been guilty of acts of oppression, how could he have helped himself? The expedition had cost the shire £10,000, and the men were not a week at Lanark "wher to my certain knowladg they left not one pynt of eall to pay."[1] He tells Hamilton in May that "hill sermons" were never so frequent or numerous. "They thunder anathemas against the blak-bonders (as they call us)." John Welsh, a celebrated minister, had refused to christen a child until its father had made public repentance for taking the bond.[2]

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[1] *Hist. MSS. Com. Rep.*, XI., Pt. VI. pp. 163-4.

[2] Buckle ought to have seen this letter before writing his savage indictment of the Highlanders. They were not a whit worse than the Lowland militia.

But one good piece of news Queensberry had heard (22nd April): the King had ordered the suspension of the bonds and other pledges, and the disbandment of all the troops except his own Guards.[3] But were they trustworthy? We are told in a newsletter of 28th April[4] that Lauderdale is "fearful of his guards and keeps much in the Castle" (Edinburgh). The Highlanders having been sent home, the militia disbanded, and the Guards not to be trusted, what was to be done for the adequate preservation of order? In a letter to the Privy Council dated 7th May, the King states that "the fanatics in Scotland expecting encouragement from the Opposition," and taking advantage of the present juncture in England, "have of late, with great insolence, flocked together frequently and openly in field conventicles, and have dared to oppose our forces."[5] The Treasury had been ordered consequently to make provision for additional forces to be levied. "Tis talked of," says a newsletter of 12th May, "that the Army in Scotland is mouldered away."[6] What had become of the great Army with which Lauderdale was to invade England?

On 28th May, the Duke of Monmouth tells

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[1] *Hist. MSS. Com. Rep.*, XI., Pt. VI. p. 161.

[2] *Ibid.*, p. 162.

[3] *Ibid.*, p. 161.

[4] *Cal. of State Papers, Dom. Ser.*, 1678, p. 138.

[5] *Ibid.*, p. 161.

[6] *Ibid.*, p. 170.

Lauderdale that he has been ordered by the King to send a regiment of foot, four troops of horse, and three of dragoons towards the Border. And on the same date, Charles addressed a letter to Lauderdale and the Privy Council, approving of all their proceedings, expressing dissatisfaction with the complainants from Scotland, and announcing his intention of proceeding, "according to our laws," against such as "endeavour to lessen our prerogatives, oppose our laws, or asperse our Privy Council." The Council is charged to take "all legal measures" to maintain the authority of the Crown, secure the peace of the Kingdom, and support the government of the Church as it is now established by law.[1]

All this meant fresh levies and further taxation. And the only way to raise money was to summon a Convention of the Estates. Accordingly, on the initiative of Lauderdale's Scottish friends at Court, a proposal to that effect was made to the King, and approved by him. The Earl of Moray besought Lauderdale to "sett all the persons you can aworke to looke caerfully to the Elections." Lauderdale lost no time in following this advice in a very effective fashion, and by the time that Hamilton and his friends had returned home, they found themselves faced in the Convention by an overwhelming majority of Lauderdalians which rendered their opposition innocuous.[2] The Convention, opened in June 1678, was called, not to transact ordinary Parliamentary business, but for the sole purpose of granting a supply sufficient to maintain, for some years, "a competent force." The King's instructions to Lauderdale were to raise a force to deal with "foreign invasion or intestine rebellion." In the meantime, should either event happen, he is authorized (in accordance with the law) to call up as many men between the ages of sixteen and sixty as the necessity may require. No other matter is to be "meddled with," and should the opposition look dangerous, the Commissioner is to adjourn the Convention. Should an attempt be made to hold unauthorized meetings—by whatever name they might be called—the King's Advocate was ordered to proceed against those concerned.[1]

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 193

[2] *Lauderdale Papers*, III. p. 148.

The elections to the Convention caused "great stirring through most of Scotland," and the usual jerrymandering occurred — the means used "to mar the elections for the burghs and shires," as a contemporary puts it. Hamilton's presence was expected to carry influence with it; his Duchess, "the most religious princess of our little world," came to Edinburgh to meet him. It was rumoured that Hamilton, then on his way from England, might be "intercepted." But he arrived safely in Edinburgh, "with some 250 horse and 12 coaches." Accompanied by some of the nobles, he went to pay his respects to Lauderdale (as the King's Commissioner), who passed "some small discourse anent highways, good weather, and the English bishops. And so they parted."[2]

The debate at the opening of the Convention resolved itself into a battle between Lauderdale and Hamilton on a question of procedure. The Commissioner had done his best before the debate to forestall criticism, by making himself pleasant to Hamilton. They had an amicable conversation, apparently at Holyrood Palace (which had been considerably renovated in Lauderdale's time), just before the opening of the Convention. The Commissioner offered Hamilton a seat in his coach, which was refused by Hamilton, not very graciously —"he had a coach of his own and had business"— and he kept the Convention waiting half an hour for him. After the usual formalities—which included the subscription by the whole assembly of the Declaration against the Covenant, and the assertion of the King's prerogative—the Commissioner proposed the appointment of a Committee to consider the elections and other business for debate. Hamilton immediately objected. He wanted the question of "double" and "contraverted" elections to be debated in open Convention.[1] Lauderdale was supported, among others, by Argyll, Sharp, the Lord President, and both Sir George Mackenzies (the King's Advocate and Tarbat; the latter did not receive, until September 1678, a pardon for his share in the "billeting" affair), while Hamilton had to be content with the backing of the Earl of Dumfries and Sir Alexander Bruce of Broomhall. To Argyll he replied "in heat," while he "snapt" at Tarbat, and made reflections upon him, which were promptly checked by Lauderdale. With the exception of Hamilton, and an attenuated following of some six or seven followers, the Convention, "with a full acclamation," declared for the Commissioner's proposal,[2] which, it had been proved, was in accordance with custom. Lauderdale, who had been conciliatory throughout, then warned the Convention against holding illegal meetings which would be regarded as "seditious." Hamilton, who "seemed displeased," affected not to understand the reason of the warning, and Lauderdale, still conciliatory, got the Chancellor to explain, adding to the explanation that he "meant nor intended any reflection upon anybody or anything past."[1] And so the Convention was adjourned.

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[1] *Cal. of State Papers, Dom Ser.*, 1678, p. 221.

[2] *Ibid.*, 1678, p. 243.

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[1] Hamilton asserted privately that there was a mistake in the writ; it was issued when a great number of the nobility were out of the Kingdom; many prelimitations were used at the elections; and the lieges had been menaced and frightened by the bonds and lawburrows. (*Cal. of State Papers, Dom. Ser.*, 1678, p. 243).

[2] The Convention consisted of 14 bishops, 146 lords, earls, etc., 65 commissioners from 33 shires, 65 commissioners from 64 Royal burghs (Edinburgh had two), total 290. (*Cal. of State Papers, Dom. Ser.*, 1678, p. 234).

A well-informed correspondent of Sir John Frederick, named Matthew Mackaile,[2] gives a good deal of information, with some intimate touches, of the state of matters in Scotland at this time. He states that "there is not one regiment in all the militia of Scotland that the Commissioner puts trust in, and that is his incomparable prudence, for, to tell the truth, he has no reason. How the affections of this Kingdom have fallen from him" (the assumption is that he had previously possessed them) "I cannot tell. You see good governors may be ill-liked, and so it fareth with the clergy of both Kingdoms."[3] Mackaile was dubious about the necessity of levying forces, or the possibility of meeting the cost. "The Kingdom is truly poor, and many poor in it, and myself one of them." A tax of £6000 sterling per month for twenty months was intended, but that would only go a small way "to pay an Army and gratify Court dependents, and discharge the cost of a High Commissioner of £70 sterling per diem, payable from the date of the Commission till he shall return to London and see his Majesty's face (as it bears in the body of it). But who may say to princes: What doest thou?"[1]

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[1] *Lauderdale Papers*, III. pp. 154-9. See also *Cal. of State Papers, Dom. Ser.*, 1678, p. 249.

[2] He may have been the Matthew Mackaile who interceded in vain with Sharp for the life of his cousin, Hugh Mackail, who was executed in 1666.

[3] *Cal. of State Papers, Dom. Ser.*, 1678, p. 234.

Reporting the adjourned proceedings of the Convention, Mackaile—"I was present (he says) in the Convention"—states that Lauderdale strove in vain to come to an accommodation with Hamilton in order to avoid debate. None of the Hamiltonians were on the Committee appointed by the Commissioners, and Hamilton refused to accept the Committee's recommendations without certain assurances. But seeing that "in the votes there is no competition, for the Commissioner carries at least two third parts clear," Hamilton was powerless. He showed, indeed, how in some instances the elections had been jerrymandered, and men elected who had no constitutional standing;[2] but of what use was argument against tied votes? On 4th July, Sir George Mackenzie was able to report to Williamson, that the supply had been voted unanimously: "the people," he adds, "are in almost as loyal a frame as they were in when His Majesty was restored." Also, the King's Advocate tells Williamson, that he himself has been "very instrumental" in turning the mind of the nation to the King's interest, and he hopes the Secretary will remind Charles of the ill condition in which he found his affairs when he became

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 244. According to the Warrants, Lauderdale's allowance was £50 per day. (C.S.P. 18th May-30th Sept. 1672, p. 108). Same allowance Oct. 16, 1673. (C.S.P. 1st March-30th Oct. 1673, p. 579). Lauderdale requested the King (Wodrow MSS. See note Law's *Memorialls*, p. 59) that his allowance of £50 a day should cease on the day he adjourned Parliament. He was "deadly weary (in January 1674) of being mine host to all Scotland"—"I swear it will be much easier for me to live at £10 than at £50." Law (p. 59) says that his "pension" of £60 was reduced to £10, "whereupon he retrinches his family." The allowance during the recess was £10 or £15 a day. (Wodrow, II. p. 230. Note.) His equipage when he was first made Commissioner cost £16,000 sterling.

[2] *Cal. of State Papers, Dom. Ser.*, 1678, p. 269.

Advocate, and the pains he has taken to restore them to their first condition.[1] Sir George was his own trumpeter, but the credit went to Lauderdale, whom Charles, in a letter dated 19th July (followed by one from the Duke of York a few days later), complimented highly on his management, and on his services to the Crown.[2] A few weeks previously, a correspondent comments on a rumour that "the Duke of Lauderdale is much discomposed in mind and has many strange actions."[3] His handling of the Convention showed no trace of mental aberration. On the contrary, it proved that he had lost none of his old grip of affairs, nor his old dexterity in managing men.

The Convention was dissolved on 11th July, after voting for a levy of £150,000 sterling by a land tax, to be spread over five years.[4] Even Hamilton, "in this juncture," felt convinced "it was his duty" to vote for it, "only he would have had the privileges of the people untouched." Mackaile hopes the example of the Scottish Parliament will be a pattern to the House of Commons! He tells Frederick not to believe the tales he may hear of "the very fountains of equity being become corrupt" in Scotland. Everything that was done was "at the instance and by the contrivance of public uncontroverted authority, which being higher than Acts of Parliament, and entrusted with the execution of law by immediate Divine authority, can dispense with, or adhere to, a formality." The shires (he says) had no right to be jealous of public authority, or elect members "who are not gracious in the eyes of those who are set over them." Was there ever a more flagrant example of the stultification of representative government? On one thing Lauderdale and his master were alike resolved: that whatever tinsel painted to look like power might be in the possession of "the cursed sovereign lord the people," the real article should always remain at Whitehall. The people of Scotland (writes Mackaile in one of his letters) "never heartily consent to the first principle of equity, that sovereign authority is absolutely to be obeyed, and that no pretence of religion or liberty ought to bound that obedience, but obedience ought to bound them."[1] "Has not His Grace" (Lauderdale), he asks, "wrought an even right-down peace and tranquillity in this Kingdom when there is not one lawsuit on foot? . . . O happy nation!"—so he apostrophizes Scotland—"for sure I am our peace cannot be denied to be like a river, albeit our righteousness be not as an overflowing flood."[2]

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[1] *Cal. of State Papers, Dom. Ser.*, p. 274.

[2] *Lauderdale Papers*, III. pp. 159-160.

[3] *Cal. of State Papers, Dom. Ser.*, 1678, p. 204.

[4] *Ibid.*, p. 284.

Mr Mackaile had a pretty wit of his own, and it is sometimes difficult to determine whether he was a hardened absolutist or a consummate ironist. He tells Frederick that he believes Lauderdale "is much wearied of the trouble of this Kingdom," and goes on to say, "no doubt among other undutiful lies, some will write to London that this nation is all wearied of his trouble and with much more reason." Describing the anxiety shown by Lauderdale and Hamilton to avoid meeting one another in Edinburgh, he says: "these two Dukes are like two buckets in a well, when the one goes, the other comes."[3]

He gives some striking views of the situation in what he calls the "woeful west of Scotland." It was thought by some that if Hamilton would but have "whistled," they were "minded to have justice *à la mode* of the Solemn League and Covenant." But Hamilton took good care not to "whistle." In Mackaile's opinion, there could be no doubt that the Presbyterians considered the Solemn League to be still in force.[1] They would be judges in their own cause, "but your English army is the bugbear. Take away the cow and all the bairns will play Blind Harry." A newsletter of 6th August tells of a conventicle, the like of which "has not been seen in Scotland." There were 600 men in arms and 7000 common people, "so that in all probability they will rise in rebellion, for I am informed there are many men in Galloway, if he have but two cows, he will sell one for a pair of pistols."[2]

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 292.

[2] *Ibid.*, p. 293.

[3] *Ibid.*, p. 292.

This was doubtless the conventicle concerning which Mackaile wrote to Frederick on 10th August. He asks Frederick how he can justify what had happened "last Sabbath the 4th." "Mr John Welsh with 36 other nonconformist ministers having convocated 10,000 of the King's—I know not whether to say lieges or enemies—at Maybole nigh Ayr, there celebrated the Lord's Supper with great solemnity, preached up the Solemn League and Covenant, and the lawfulness, conveniency, and necessity, of defensive arms; before and after their sermons modelling themselves, drilling, and exercising themselves in feats of arms; and not being content with one day's work, solemnly appointed another celebration at Fenwick, within 34 miles of this City, declaring they will defend themselves if opposed by His Majesty's forces; and this is to be performed to-morrow. Where will this end I know not, but how do you like these beginnings? What if they should beat His Majesty's forces, take possession of this principal city (Edinburgh) fine, imprison, and banish all that oppose them in the first place, and in the next, all that will not concur with them; and so a peaceable Government is overturned, His Majesty's power questioned and limited? Is this to turn swords into ploughshares? Is it not rather to make swords of pruning-hooks, and instead of the turtle, to set up the alarm of war in our land? The fact above stated is true and unquestionable. I shall permit you to make the commentary."[1]

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 293.
[2] *Ibid.*, p. 346.

This is a remarkable account, deserving of full quotation. It shows clearly that, far from the danger of conventicles to the public peace being a phantom of Lauderdale's distorted imagination, it was an actuality which had to be met by force if necessary. It is true that Lauderdale was now reaping what his predecessors had sown, and what he himself had planted; but the result was none the less a menace in the highest degree to the tranquillity of the Kingdom. Sooner or later, there must be a clash; and a controversy, which at one time could have been settled by mutual concessions, could now be settled — it was becoming daily more evident—by physical force only.

Lauderdale returned to London, "having much strengthened his interest in the country and weakened his adversaries." Before he left, his heir-apparent, Richard Maitland, Halton's son, was married to Argyll's eldest daughter;[2] the marriage forged another link in the chain that united the two families. When writing about this marriage, Mackaile mentioned casually that sixty conventiclers were ordered by the Council to be banished to Jamaica. Their friends interceded for them, and the Council remitted the case to the two Archbishops, "and they, good merciful men, ordered the execution of the Act immediately"[1]: a side-light, this, on the responsibility of the Bishops for the rigour with which the Covenanters were pursued. Another side-light is thrown by Mackaile on the relations between the heritors and the "curates." MacDougall of Garthland, "a considerable gentleman," told his "curate" who had preached a sermon against the Covenant, to "stick to his text." The priest, in revenge, reported in Edinburgh that MacDougall had said that the King and Lauderdale "minded nothing but an arbitrary government, which it well appeared should be extended as far as the three Kingdoms." A party was sent to apprehend MacDougall, "but he escaped and criminal letters were issued against him."[2] The national characteristic of cautiousness must have been stimulated and stereotyped by incidents of this kind. Mackaile describes the imposing spectacle of Lauderdale's departure across the Border. "We were 1,000 horse, and the guards of Berwick were stretched from the Scots port to the Bridge." He himself "kissed His Grace's hands."

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 353.

[2] *Ibid.*, pp. 340 and 346.

The departure of "His Grace" from Scotland —he got a formal warrant of ratification and exoneration for the term of his Commission—was the signal for an increase of conventicles, and for increased boldness on the part of "the rebellious ministers," with the full approval of the people.[1] "There was never so much insolency committed as is now by these people." Fourteen thousand attended a meeting in Galloway, and "were three days receiving the Sacrament." And they extended their operations as far as Learmouth in Northumberland, where a collision occurred between them and one Colonel William Strother, with loss of life on both sides.[2] The King instructed Monmouth to give orders to the forces in Northumberland to suppress these assemblies, and if the rebels escaped into Scotland, to pursue them across the Border, and assist the Scottish forces in their capture. "An insolent riot committed by one Walsh and his accomplices": such is the description by Charles of the encounter with Strother; but Strother tells Lauderdale that "we think Welsh was amongst them by the description of his phisogminy your Grace's Brother, my Lord Halton, sent me."[3] Welsh, like Veitch, the most intrepid and elusive of men (he was never captured, though he had a series of hairbreadth escapes), was comparatively moderate in his views on Church and State; and by his moderation may be measured the length to which the left wing of his party was prepared to go in resisting authority.

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 340.

[2] *Ibid.*, pp. 353-4. Sir George Maxwell of Newark was committed to the public prison "for speaking some things of arbitrary government and the West country Host" (p. 425).

On the other hand, the case of a man named Learmont (September 1678) showed the length to which the Council was prepared to go in incriminating those who attended conventicles. It was found "relevant," writes Mackaile, that when soldiers were killed as the result of these meetings, the mere presence of a person at the conventicle involved him "in the guilt of slaughter," even if he were absent when the loss of life took place. There were two conditions that fixed his guilt. One was, to have arms in his possession, and the other was, that although unarmed, he was found to have encouraged resistance. The formula of encouragement was: "Let no cowards be here today, and those that have arms come aside." Learmont was found guilty of being present at a conventicle and pronouncing the formula; but denied being guilty of the "slaughter" in question. The Lord Justice-General (Primrose) refused to sit on the case, "pretending he was sick," and Lord Castlehill (Lockhart's brother) "openly dissented from passing death on the panel." Thereupon, the Privy Council sent two of their number, the Earl of Moray and Lord Ross, to vote instead of the two dissentients, and "the young man was sentenced to be beheaded, which was executed yesterday."[1] Such was justice in Scotland under a Privy Council, whose moving spirits in the treatment of conventicles were the two Archbishops. Learmont, it is interesting to observe, "would admit none of the present clergy to attend him at his execution." He "behaved well," as did all the Covenanters who suffered for their principles. When, just before his execution, he spoke of the Covenant, "he was always interrupted by the magistrates." As a pendant to this incident, it should be added that Primrose and Castlehill were both relieved of their offices, and Sir George

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 416.

[2] *Ibid.*, pp. 416-17; *Lauderdale Papers*, III. pp. 160-1.

[3] The following is Lauderdale's description of Welsh: "Indicted for treason by the Parliament of Scotland in 1661, and set at liberty on assurance of good behaviour. In 1666 was in the rebellion in the West and after the rebels were beaten was indicted for high treason, "so it is lawful for any man to kill him" without special authority for doing so. (*C. S. P.*, 1678, p. 428.)

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 425.

Mackenzie of Tarbat, now a Lauderdalian, was appointed Justice-General.[1]

Lauderdale was followed to London by Hamilton "and many prime gentlemen"; the King had admitted Drummond, a prominent Hamiltonian, to 'kiss hands.' All the consultations of the Hamiltonians, says Mackaile, "are managed at London," where they had no lack of sympathizers. Lauderdale and Hamilton appear to have 'had it out' before the King. Accused by Lauderdale of having brought the prerogative into question by his attitude during the recent Convention, Hamilton replied that it was never part of the prerogative to nominate members for Committees and the Articles. His Majesty's Government, he declared, was destroyed, and not supported, by illegalities. Such practices, he asserted, were "brought on foot and countenanced" in Scotland, as in the minds of the people, "had left a stain and blot on the Government." Charles listened quietly to the two protagonists—he was more polite to Hamilton than he had been a few months previously—ordered Lauderdale to put his charges in writing, and assured Hamilton that he would have an opportunity of replying to them, "before I give my sense on it."[2]

About this time, a proclamation was issued in

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 476.

Mackaile mentions a curious incident that occurred about this time, which illustrates Lauderdale's mode of getting what he wanted. Lord James Douglas had raised a regiment for the King which Lauderdale purchased, "to compliment the Earl of Mar with it." Now the Earl of Mar was hereditary keeper of Stirling Castle, "and has been these 200 years" (the family, Mr Mackaile, not the Earl!) and Lauderdale desired the keepership for himself. The emoluments were £500 and £600 sterling yearly. And so a condition was attached to the "compliment" of the Douglas regiment, that Mar should resign the keepership in favour of Lauderdale, his heirs and successors. Mar wanted the Douglas regiment, but not at the price of Stirling Castle. "So he has refused to digest the same." *Ibid.* p. 425.

[2] *Cal. of State Papers, Dom. Ser.*, 1678, p. 468.

Scotland, summoning all the Highland Chiefs to give bonds to preserve the peace. It was an old practice, designed to make the Chiefs responsible for the good behaviour of their clans, and, on the whole, it was found to be the most useful weapon at the disposal of the Government. For the Highland Chiefs, wielding as they did, despotic, if patriarchal, authority over their clansmen, were well able to ensure peace or stir up strife at will within the clan boundaries. This (as Lord Nottingham pointed out during the discussion in London in April-May 1678)[1] was the pattern upon which the Scottish Council had framed its policy in the Western districts for enforcing the bonds. What had proved the most efficacious method that could be devised for preserving the Highlands (at best it was only a palliative) was likely, it was thought, to prove equally effective in the Lowlands. The analogy was false, but to an Englishman, imperfectly acquainted with the fundamental differences that separated the Highlands from the Lowlands, the comparison would seem reasonable enough. Yet Lauderdale and the Scottish Privy Council ought to have known better. Lauderdale's conception of the best means of keeping the Highlands quiet, was to delegate authority to powerful nobles attached to his interest. Thus, in 1667, the Highlands were divided into three spheres of influence, which were placed, respectively, under the care of the Earl of Argyll, Chief of the Campbells, the Earl of Atholl, Chief of the Murrays, and the Earl of Seaforth, Chief of the Mackenzies. The whole of the Highlands were practically handed over to the jurisdiction of these three noblemen. They had comprehensive powers for the punishment of

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[1] Burnet's *History*, p. 279.

ARCHIBALD CAMPBELL, 9th EARL OF ARGYLL

(From an engraving by W. Freeman)

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theft, and the restoration of stolen goods. It need scarcely be said that temptation being so obviously thrust in their way, they used their opportunities in the manner that might have been expected.

Towards Argyll, Lauderdale's partiality was notorious. The Argyll letters to Lauderdale, written during the earlier period of the Restoration, show that the friendship between the two was intimate.[1] In 1665, Argyll tells Lauderdale that he is ready to be friendly with the other two members of the subsequent triumvirate (Atholl and Seaforth), "and indeed" (he adds) "unless animosities be laid asid(e) his Ma$^{tie:}$ cannot be served as he ought to be." He tells him, also, candidly enough, that "it hath of late been told me by some, betwixt jest and earnest, that in endeavouring the peace of the Highlands, I secure my own interest."[2] Probably the statement was made more in earnest than in jest. On his attitude towards the Covenanters, Argyll admitted that he had some "tenderness" for them, but if they abused this tenderness, "I hope they shall need no other to cute their throats." And in 1666, he was ready to do his share in seizing notorious rebels, though in 1678, he sent none of his men to join the Highland Host. In 1667, he tells Lauderdale, sagaciously enough, that "the less soldiery meddle except in securing the peace, the better."[3] There was a

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[1] "Your son Johne," writes Argyll, "is a great rogue." He was the second son of Argyll (afterwards Campbell of Mamore) and signs himself "Johne Lauderdaile," the Duke being his godfather. He was a very patriotic young Scot who repudiated the name of Englishman. His favourite song was "Farewell for auld lang syne." The daughters never forgot Lauderdale in their prayers. One of them having forgotten to pray for the King, was reproached by the other, who said: "If it had not been for him, you and I had been hussies." "Some think a sib child the best foole," comments Argyll: "it may be it's so with me!" *Argyll Letters, Bann. Club*, Vol. XXXIII. pp. 35-7.

[2] *Bann. Club*, Vol. XXXIII. p. 14.

[3] *Ibid.*, p. 68.

"rogue" named William Wallace whom Lauderdale wished Argyll to lay by the heels (1666-7), but the elusive Covenanter had slipped through the Earl's hands and escaped to Ireland. Argyll's description of him shows that the Earl possessed a pretty wit. Wallace, he tells Lauderdale, had "put on a white periwige, for he is a blake fellow, and plays the physitiane, and hath killed more that way than by the sword." The inference to be drawn from Argyll's attitude towards the Covenanters is, that he sympathized with all of them except the left wing; but that he had to exercise a vast deal of diplomacy in concealing his sympathy.

For a time he was on bad terms with Lauderdale (who had occasion to remind him sharply of all he had done for him),[1] but their friendship was restored, and when Kincardine quarrelled with Lauderdale, Argyll took his place as an extra Lord of the College of Justice.[2] Argyll simply could not afford to quarrel with Lauderdale. His estates, when restored to him, were burdened with large debts (including those inherited from his father), which had to be paid off somehow.[3] Through Lauderdale's influence, the King gave him the right of his vassals' estates which were under forfeiture. He tells Lauderdale in 1669 that he had settled with nine-tenths of them: it was the creditors, not the vassals, "that stickells." By far the most troublesome of his debtors were the warlike MacLeans, against whose chief, Sir Lachlan, Argyll's father had a claim of £30,000 (Scots). Argyll had an allowance of £15,000 a year out of the estates, free of creditors' claims, and his creditors being unable to touch this money, had to look to a recovery of the MacLean debt as the sheet-anchor of their hopes. This debt, swollen by various charges, finally reached the sum of £200,000 (Scots) which the MacLeans could not pay. Possibly Argyll was not particularly anxious that the money should be paid, seeing it would go to his creditors, who, he complained, accused him of defrauding them when he showed any disposition to be lenient towards the MacLeans. But he was not adverse from obtaining possession of the Island of Mull, with the adjacent lands of Morven and the Island of Tiree, the clan territory of the MacLeans. By various legal processes, helped by his membership of the Privy Council, by Lauderdale's friendship, and by actual invasion of Mull, where he met a stout resistance, he eventually relieved the MacLeans of their patrimony. The MacLeans could only retaliate with their claymores, which were long enough to reach the neighbourhood of Inverary, but were not numerous enough to save their property. Argyll kept strictly within the law in his dealings with the MacLeans (his invasion of Mull was authorized by the Council), but the fact that he was Justice-General for the Isles, Sheriff of Argyll, and a member of the triumvirate who ruled the Highlands and Isles, under the Privy Council's authority, made the "discreets" obtained by him against the MacLeans suspect. The aggrandisement of Clan Campbell was viewed with alarm by the other great Highland Chiefs (especially Seaforth) with whom *Mac Cailin Mòr* had an unenviable reputation for land-grabbing. Consequently, it is not surprising to learn from one of Mackaile's newsletters, that the proclamation concerning the Highlands, issued in 1678, was principally contrived in Argyll's favour, and to prevent a combination against him of the other clans, owing to his "oppression of the MacLeans, which he now, they say, increases in the minority of the heir." Undoubtedly there was a good deal of sympathy with the MacLeans, not only in the Highlands but in Edinburgh; and it did not add to Lauderdale's popularity that he should be suspected of backing Argyll.[1]

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[1] *Scot. Hist. Soc.*, Vol. XXXVI. p. 232.

[2] When, in 1674, Tweeddale was turned out of the offices of a Lord of Session and a Commissioner of the Treasury, Argyll got his places.

[3] Apparently he hoped to raise money by raising the treasure ship of the Spanish Armada which was sunk near Tobermory. He corresponded with Lauderdale on the project, and entered into a contract with James Maule of Melgund to salve the contents (*Hist. MSS. Com. Rep.*, VI. Pt. 1-2, p. 608). The project was revived a few years ago. We find Argyll in 1667 warning Lauderdale about the danger of embarking upon a speculation in the fishing trade (*Bann. Club*, Vol. XXXIII. p. 90).

It is only too evident that at this period in Scottish history, justice was believed to be tainted at its very source. "The truth is," says Mackaile, "the construction of the judicatories here is absolutely at Duke Lauderdale's beck; that, in judgment, a dog cannot move his tongue against him, and he is able to effectuate anything he pleases; and every day his hands wax more and more strong."[2] He tells a story of Sir George Lockhart, "brother to the late Ambassador, the ablest lawyer in the kingdom" (some would have assigned that distinction to Sir George Mackenzie), who was present at the marriage of Lord Newbyth's (a law lord) eldest son. Lockhart had been "tempted to take a cup to the advantage"—and forgot his customary caution. In the course of toast-drinking, he told Chancellor Rothes that "he was the most unworthy man in the kingdom." He had "basely forsaken Duke Hamilton after being engaged with him." The Duchess of Lauderdale had previously made a similar charge against Rothes when he forsook her husband,[1] and she had some right to complain; for it was believed that by her intercession with Cromwell, she had saved his life, as well as Lauderdale's, after the battle of Worcester. "Sir George Mackenzie," said Lockhart, "had called the Chancellor at the beginning of the business a 'hocus,' and that most rightly." Newbyth here interrupted. "O, Newbyth," Lockhart went on, "are you come to kindle me to speak truth? Thou art one of the most unjust fellows on all that Bench, and such a crew of judges as ye are all did never the sun shine upon." "Good Lord! what shall become of this poor kingdom?"[2] *In vino veritas.*

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 468. There is a lengthy account of Argyll's dealings with the MacLeans in Mr Andrew Lang's *Life of Sir George Mackenzie* (pp. 209-216), which states the facts with, however, an obvious leaning in favour of the MacLeans (a Royalist and Romanist clan) as against Argyll (the representative of a Whig and Presbyterian clan).

[2] *Ibid.*, p. 477.

It was not only the judges whom Lauderdale terrorized into judgments reflecting his will, but the clergy as well; although (as has been stated), after his alliance with Danby and the English Bishops, he was ready to make his policy square, as far as possible, with that of the Church. Something of his old spirit of contempt for the Scottish Bishops is shown by his installing in a public congregation, a Presbyterian minister, "in the face of all the clergy, who durst not gainsay him." Many of the nonconformists, even at this time of day, "will never be persuaded but he minds their good, and so he weakens that party by a subdivision of his own making."[3]

There is a pregnant sentence in one of Mackaile's letters which gives, in a nutshell, the true basis of Lauderdale's politics.

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[1] *Scott. Hist. Soc.*, Vol. XV. p. 281.

[2] *Cal. of State Papers, Dom. Ser.* 1678, p. 477.

[3] *Ibid.*, p. 477.

> "The policy he follows is the point of absolute supremacy in his Majesty's person, and he values the clergy as little as the Presbytery when it comes in competition with that point; and I believe will live and die of this opinion."[1]

That was consistency, if nothing else, and whatever view may be taken of Lauderdale's policy, vacillation is not a quality that can be attributed to it. Political consistency in the reign of Charles II. was so rare as to be remarkable. It was not conspicuous in the career of some of the great Scottish nobles of the period, and among them, the magnates of Perthshire seem to have been peculiarly susceptible of the desire to set their sails to catch a fair wind. The Marquis of Atholl, "one of the prime (supporters?) of the Hamilton interest and a great adversary to Duke Lauderdale" (after being a great friend) was represented to the King (by Lauderdale, it is to be supposed) as having become "a promoter of the fanatic interest"; and "being accused by his Majesty as a countenancer of field conventicles, answered that he was "obliged to obey the Council's demands as they did not keep the law for their rule." These were bold words, and augured well for a courageous assertion of right and justice. But alas! the sequel was far otherwise. The Council, he averred, pressed him to do "what was not warrantable." But to show his loyalty and affection to the Established Church, if the King would give him a commission he would not be wanting in what was expected of him. The commission was given, and he undertook the employment. He "sent down peremptory letters and orders to his deputies to use all rigours against field conventicles, and in case of opposition, to kill and take prisoners, so these northern bounds, which since the beginning of these late animosities, (were) accustomed to meet every Sabbath in the open fields, being assembled last Sabbath, and sermon begun, were surprised by a number of Highlanders, in pursuance of this order. And some were killed, some plundered, others barbarously stripped naked, and women forced, and many taken prisoners, so that where the sanctuary was thought strongest, the assault was most fierce towards St Johnston; by which it is plain that this kingdom is in a most distempered condition, by reason of the many divisions and sub-divisions in it, and that those that pretend for religion, and those that contend for liberty, stand at great odds betwixt themselves, as they do with those that are at odds with both; so that I am apprehensive that the wound of this nation is incurable; and all things tend more and more to heighten our miseries every day and to bar out all relief."[1]

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 477.

A truly deplorable picture, with the Perth brutality—one would fain hope that the account is exaggerated—as a sinister background. But far from acts of such savage repression breaking the spirits of the conventiclers, they seemed to add fuel to the flame of fervour. "I cannot say," remarks Mackaile, "the Presbyterians are the fewer that they are under the rod, for not only old folks and those that have seen former times are so inclined, but also very many of the young choose that way, and are as willing to suffer as any are, and the old ministers are daily emitting young men who go through the whole country teaching and preaching."[1] The torch was being passed on to the younger generation. A little later, Mackaile reports "the pursuit is much hotter against the Presbyterian party, who usually get the ill deeds and the Papists the evil words." But the Papists in Scotland were not "so daring" as their co-religionists in England. Yet the Scottish people "know not what to think of that plot" (Titus Oates).

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 483. Macaulay is particularly severe on the representative of the Atholl family who appears in these pages, calling him "fickle" and "pusillanimous." Had he known of the St Johnstone (Perth) barbarities described in the text, he might have added a third adjective.

Matters had now reached such a pitch, that the fact of any persons being known to have heard a Presbyterian minister preach, was sufficient to condemn them to be packed off to Virginia "in a ship ready for them. And lest they should overpower the mariners when on board, there is invented, as is alleged, by the famous Bishop of Galloway, a certain screw to couple their thumbs together by pairs, to disable them from defensive or offensive war."[2] There were sixty or seventy persons guilty of no other crime but that of listening to nonconformist sermons. And there was now the remarkable circumstance about "public confluences": that the ministers attended them, only "on much solicitation and the pressing desire of the people."

How far these proceedings of the Privy Council had the complete approval of Lauderdale does not appear. But that he was greatly incensed by the incurable obstinacy of the Covenanters, is suggested by a letter of Rothes dated 25th January 1679, in which he instructed the Council to proceed against the Rev. William Veitch (alias "George Johnstone"), a notorious ringleader of "the seditious field conventicles," who had been captured in Northumberland. Veitch, the hero of numberless adventures, was a man of extraordinary resource, and a humorist whose witticisms were not relished by the Bishops. Indeed, these "Fathers in God" were so much afraid of the daring rebel that they secured his acquittal, on the ground that his death might "ruin their interest." The King's Advocate warned them never to blame Lauderdale again "for favouring fanatics"; they had frequently so blamed him, if not openly, at any rate by innuendo. But in his letter to Rothes of 25th January 1679, Lauderdale, far from advocating clemency to the Covenanters, avowed that in order "to dash the groundless hopes of knaves and fools who expect a toleration," he was "fully resolved to put the strictness of the law in execution."[1] And there is a cryptic allusion by Mackaile, to the King and the Duke of York having begged in vain for favour to be shown to certain Covenanters banished out of Scotland, who happened to be "in the river about Gravesend." "Many talk oddly about the Duke of Lauderdale about these people, and his answers to them that went to him about them."[2]

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 498.

[2] *Ibid.*, p. 524. These were not the instruments of torture known as "thumbscrews," as some Covenanting writers seem to have supposed.

In England, Lauderdale was on the edge of a slippery slope: his fall was approaching. But in Scotland, his interest "makes new advances every day and seems to me (says Mackaile) so established, that though the hearts of the people be otherwise, yet the institution of all judicatories is tooth and nail that way." The Marquis of Atholl who, while in favour, was Lord Privy Seal and Captain of the Guard and Horse (worth £1000 sterling per annum) was removed from both offices when he joined Hamilton. He had 'backed the wrong horse.' Lauderdale's nephew was made Privy Seal ("or as some say, the Earl of Tweeddale, the root of the late differences"), while the Captaincy of the Guard was bestowed upon the Marquis of Montrose.[1] So dangerous a thing was it to quarrel with the Dictator, and so profitable a thing to be his friend! Meantime Hamilton was again seeking the ear of Charles. The King was now readier to listen to him than he had been during his previous visits to London. He told Charles that, in his opinion, Episcopacy "could not be established in Scotland,"[2] and unlike Atholl, he was careful to do nothing to endanger his interest in the affections of those called "good people" in his native country. The Duchess of Lauderdale accused Hamilton and his friends of being "ready to bring Scotland under the subjection of England"; and that the proposed "cantonising" of the smaller nation made them respected "only by those who will be the most ready to sacrifice them as soon as they will have no more use of them."[3] The allusion is to Shaftesbury and the Country party.

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[1] *Cal. of State Papers, Dom. Ser.*, 1679-80, p. 64.

[2] *Ibid.*, p. 19.

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[1] *Cal. of State Papers, Dom. Ser.*, 1678, p. 498. The Earl of Moray, whose son married Lauderdale's step-daughter, got a plum in the shape of a Commissionership of the Treasury. He was related to Lauderdale through the first wife of the latter. And he was a Stewart. He succeeded Lauderdale as Secretary for Scotland.

[2] *Cal. of State Papers, Dom. Ser.*, 1678, p. 483.

[3] *Bann. Club*, Vol. XXIV. p. 105.

CHAPTER XXIV

On 25th March 1679, Shaftesbury made a powerful speech in the House of Lords, attacking the Administration of Lauderdale with the wealth of rhetoric of which he was so consummate a master. He had been well primed with material by the Hamiltonians, and he handled his facts with the disregard for accuracy that usually marks the rhetorician. In England, he said, Popery was to have brought in slavery; in Scotland, the "little sister" of England, slavery went before, and Popery was to follow. Scotland and Ireland were "two doors" to let in good or mischief upon England. He could scarcely find words to express adequately his admiration for Scotland and Scotsmen. "It is a noble and gallant Kingdom. They have an illustrious nobility, a gallant gentry, a learned clergy, and an understanding, worthy people; but yet one cannot think of England as one ought without reflecting on the condition they are in. They are under the same Prince, and the influence of the same favourites and counsels. When they are hardly dealt with, can we, that are the richer, expect better usage? For it is certain that in all absolute governments, the poorest countries are always the most favourably dealt with. . . . If the Council-table there can imprison any nobleman or gentleman for several years, without bringing him to trial, or giving him the least reason for what they do, can we expect the same men will preserve the liberty of the subject here? . . . They have lately plundered and harassed the richest and wealthiest countries of that Kingdom, and brought down the barbarous Highlanders to devour them; and all this without almost a colourless pretence to do it. Nor can there be found a reason of State for what they have done, but that those wicked Ministers designed to procure a rebellion at any rate, which, as they managed, was only prevented by the miraculous hand of God, or otherwise all the Papists in England would have been armed, and the fairest opportunity given in the just time for the execution of that wicked and bloody design the Papists had. And it is not possible for any man that duly considers it, to think other but that those Ministers who acted so were as guilty of the plot as any other lords that are in question for it.

"My Lords, I am forced to speak the plainer, because but till the pressure be fully and clearly taken off from Scotland, it is not possible for me or any thinking man to believe that good is meant us here." Until a perfect cure could be found, "the Scottish weed" was "like death in the pot."[1]

And then came the inevitable flourish about the "22,000 (24,000) men to be ready to invade us on all occasions," but he hears that the Council have now "expounded" it into "a standing army of 6000 men."[2]

It was a clever but manifestly insincere speech by the most persuasive orator, and the most nimble politician of his day.[1] The King's new Council of 1679 was a strange hotch-potch of diverse and contending elements. The Triumvirate — Halifax, Sunderland, and Essex—were opposed by Shaftesbury, the President of the Council, and his friends, while Halifax and Shaftesbury were at one in striving for the dismissal from public life of Lauderdale, another member of the Council. They pressed their views strongly upon Charles, but without effect.[2] His standpoint, as expressed in a familiar conversation with May, the Master of the Privy Purse, was that Lauderdale's Scottish enemies (and it applied equally to his English opponents) had "objected many damned things that he had done against them, but there was nothing objected that was against his service."[3] From the King's point of view, that argument was unanswerable.

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[1] Christie's *Shaftesbury*, II. App. VI. pp. 99-102. See also Somers' *Tracts*, VIII. pp. 49-50 (the dates do not tally).

[2] The standing forces were actually two regiments of foot, each of 1000 men, four troops of horse, and three companies of dragoons.

It was not the Scottish Administration alone that was the object of attack by certain members of the new Council. Shaftesbury criticized in the Lords the Irish Administration as well, but was afraid to press the attack on the Duke of Ormonde, owing to his anticipation of an unsympathetic audience.[4] Charles remarked that his new ministers were for "jostling out his old faithful servants," but he was determined to stand by them.[5] It is rather significant that Shaftesbury, who alluded to

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[1] According to Roger North (*Examen.*, p. 86) forty copies of Shaftesbury's speech were sent down to Scotland by next post. Shaftesbury's speeches were read with avidity by the people, with the inevitable effect upon the tone and form of the speeches.

[2] Christie's *Shaftesbury*, II. p. 321. The heterogeneous composition of the Council was due to the fact that the members were chosen by Charles with the object of sterilizing the Opposition.

[3] Burnet's *History*, p. 312.

[4] *The Life of James, 1st Duke of Ormonde*, by Lady Burghclere, II. p. 289.

[5] *Ibid.*, II. p. 293.

Ireland as a "snake in our bosom," suggested in one of his speeches the desirability of making it a "province of England." The suggestion seems to show that the warnings of Charles (and the Duchess of Lauderdale) that the success of Lauderdale's enemies might result in Scotland being made a province of England, were not so pointless as might at first appear. Also, it is a remarkable fact that one of the means employed for the downfall of Ormonde was to accuse him (one of the sturdiest of Protestants) of being a secret Romanist.[1] That was the most insidious accusation made against Lauderdale for compassing his ruin. In Ireland, the Whigs used every method that could be devised to organize delation, with the object of getting Ormonde removed. Informers were freely employed at their abominable trade, and flourished exceedingly on the rewards of their infamy.[2]

It is by no means unlikely, that it was with the veiled encouragement of the Hamiltonians, and possibly with the knowledge and connivance of their English colleagues, that an informer of this stamp came from Scotland to London with the object of telling trumped-up stories against Lauderdale. This was Captain Carstairs (whom we have already met) "a loose and vicious gentleman who had ruined his estate" (he was a Fifeshire laird), and had taken to the trade of spy and informer as a means of livelihood. He was ready to serve any party that paid him well. Burnet asserts that he was employed by Sharp to attend conventicles and inform on their frequenters. One of his victims was Mr Kirkton, preacher and historian, who was rescued from his clutches in an Edinburgh house by Kirkton's brother-in-law, Baillie of Jerviswood. There are various versions of the incident,[1] the exact facts of which are in doubt; but it is at any rate clear, that Carstairs' object was blackmail, failure to obtain which, suggested revenge. For resisting a warrant by the Council for the arrest of Kirkton—a warrant (apparently) subsequently procured and ante-dated by Carstairs—Jerviswood was fined and imprisoned by order of the Council. According to Burnet, Hamilton and Kincardine protested against the sentence, and were consequently removed from the Council as "enemies of the Church and favourers of conventicles."[2] This suggestion of Burnet's lacks confirmation; and it is at least certain that other and weightier reasons existed for the dismissal of Hamilton and Kincardine.

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[1] *The Life of James, 1st Duke of Ormonde,* II. p. 315.

[2] For examples see Lady Burghclere's *Ormonde,* pp. 317-323.

Burnet states that (some years after these incidents occurred) Carstairs came to London to make his fortune—by informing upon Lauderdale. Could he have but shown that Lauderdale was a secret Papist, and that he encouraged Papist practices in Scotland, his fortune would have been made beyond a doubt. But to invent a story on these lines that would bear any resemblance to plausibility, was beyond the resources even of so accomplished a liar as Captain Carstairs. It is true that there had been some grumbling in Scotland about Papists having had only hard words, while the Presbyterians got the hard blows. The penal laws in Scotland against Romanists were of the severest description, and they formed, indeed, ready-made legislation *mutatis mutandis* for facilitating the punishment of recusant Presbyterians. But the Papists gave the civil authorities no trouble by "seditious conventicles." Had they attempted to hold such assemblies, it is very easy to conceive what their fate would have been. No case for favouring Romanism in Scotland could be made out against Lauderdale, with any prospect of success. Carstairs went on an entirely different tack: his accusation was that, while making a show of severity, Lauderdale was, in reality, a favourer of the conventicles.[1] It was an attempt to turn the tables upon the King's Commissioner with a vengeance, but it does not seem to have met with the slightest success. Burnet avers that no respectable person would soil his hands by employing so foul a tool as Carstairs: and when the latter, after the manner of his kind, turned round, when found out, and endeavoured to save himself, and incidentally to get money out of Lauderdale by incriminating Hamilton and Kincardine as his instigators, Burnet shows how he was exposed by Atholl and made to confess that he had lied, as he had previously lied about the Kirkton warrant. But who invited him to London in the first instance? Burnet's statement that he had not received the rewards he expected, and therefore wished to be revenged upon Lauderdale, is scarcely conclusive.[2] The real character of the man is shown by the manner in which he brought Staley, a Popish banker, to his death after an unsuccessful attempt at blackmail. Burnet says that Lauderdale "railed" at him (Burnet) "with open mouth" for trying to save Staley's life, asserting that Burnet's favour for Staley was due to "the liking" he had to anyone "that would murder the King." And he "infused this into the King," so that Charles repeated it in the

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[1] For a full discussion of the incident see Mr Lang's *Sir George Mackenzie*, pp. 123-6.

[2] *History*, p. 267.

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[1] Burnet's *History*, p. 287.

[2] *Ibid.* p. 287.

"House of Lords to a company that were standing about him"[1]—no doubt by the fireside, his favourite place in the House. There was little love lost between "Gibbie" and his quondam friend; but Charles could scarcely be expected to believe that such an atrocious sentiment could be cherished by his Scottish mentor. About this time, Burnet was on excellent terms with Charles who, in a wave of candour, had confessed to him in the course of an intimate conversation, that "he had led a bad life," but that he was "breaking himself of all his faults." As for Carstairs, the last we hear of him is that he died "under great horror, and ordered himself to be cast into some ditch as a dog, for he said he was no better."[2]

Possibly it was during one of these private conversations, that Burnet learned that the King was beginning to suspect that Lauderdale's memory was beginning to fail;[3] and Charles had no use for a servant whose powers were on the wane. He was now resolved (thus Burnet) to "let him fall gently and bring all Scotch affairs into the Duke of Monmouth's hands."[4] By this time Lauderdale had lost two of his main props at Court. Danby had been sent to the Tower, and the Duke of York (to please the Commons) had been packed off to Flanders. Now was the time for a concerted drive against the Scottish Dictator. The principal members of the new Council were hostile towards him, and the King was getting lukewarm in his defence. Accordingly, the Hamiltonians were encouraged to come to London to overwhelm him with their accusations. And while these things were happening, events in Scotland rapidly reinforced the arguments of the accusers.

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[1] *History*, p. 288. [2] *Ibid.*, p. 291. [3] *Ibid.*, p. 312. [4] *Ibid.*, p. 312.

In April 1679, the Government in Scotland was "so remiss that the people apprehended they might run into all sorts of confusion." As the result of events in England, "Duke Lauderdale's party was losing heart." They feared "a new model in Scotland like that set up in England," that is, in antagonism to their leader. "All this," (Burnet goes on to say) "set those mad people that had run about with the field conventicles into a frenzy; they drew together in great bodies,"[1] and the inevitable collision with the troops on an extensive scale came at last.

A letter of 1st April, addressed to the Earl of Linlithgow, gives an account of a fight at Lesmahagow in Clydesdale, which may be regarded as the opening of the campaign against the Government by those Covenanters who favoured physical force. The dragoons had the worst of the fight at Lesmahagow, the "Whiggs" beating them off. The "Whiggs" horse was commanded by Robert Hamilton, a younger son of Sir Thomas Hamilton, who had married, as his second wife, Gilbert Burnet's sister. Young Hamilton was "bred" by Burnet, when in Glasgow, and was a "lively, hopeful young man,"[2] but after associating with extreme Covenanters, "became a crack-brained enthusiast" who, at Lesmahagow, defied King and Council alike in unquotable language.[3] And this man, said Lauderdale and his friends, is a nephew of Gilbert Burnet, and is exemplifying by his acts the principles which he imbibed from his teacher.[4]

There were other enthusiasts, equally harebrained, who by their brutal murder of Archbishop Sharp on Magus Moor, near St Andrews, on 3rd

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[1] *History*, p. 312.

[2] Burnet's *History*, p. 313.

[3] *Lauderdale Papers*, III. p. 163.

[4] Burnet's *History*, p. 313.

May 1679, showed how deeply committed they were to desperate courses. The assassination of Sharp made a profound impression in Scotland and London. A new test question was introduced into Scotland for the confusion of captured Covenanters: "What do you think of the death of the Archbishop?" and some there were who found it difficult to call it murder: it was "a call from God," such as Phineas had received. Others were ready to admit that "though the loon was well away, the deed was foully done": a case, in fact, parallel with that of Cardinal Beaton. The King's Advocate made no mistake in letting the guilty go free for lack of evidence. Suspected persons were seized without "clear probation" and put to the torture. "Remember," wrote the King's Advocate to Lauderdale in justification of this course, "that King Alexr. II. killed 400 for the death of one Bishop of Caithness, and gelded them, and what law had he for that?"[1] What law, indeed, except the law that might is right!

A newsletter of 7th May, addressed to Sir Joseph Williamson, relates that they had "the ill news" of the murder of Sharp, and that "he received five wounds by ten men, said to be concerned in this assassination." And then comes the surprising statement that "it's likewise said his Majesty has dismissed the Duke of Lauderdale from his Council and made him incapable of any place of trust for the future. This is said to be done yesterday in Council."[1] The news was premature, but it showed the trend of public opinion. Events which followed closely on the heels of Sharp's murder, made Lauderdale's position still more insecure. On Restoration Day (29th May) the Commons presented yet another address against the Duke, and his "arbitrary and pernicious counsels" tending to "the alteration of the Protestant religion established"; which showed how determined Shaftesbury and his friends were to work the "Popery" scare with a complete lack of scruple. He had "raised jealousies and misunderstandings between the two countries," it was urged, "whereby hostilities might have ensued." Being debarred from meddling with Scottish affairs, the Opposition party in the Commons were forced to take this line to justify their address. But they had a weak case, and the dissolution of Parliament by Charles shelved it efficaciously.

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[1] *Malet Papers* quoted by Mr Lang in *Sir George Mackenzie.* The allusion, I think, is to a Bishop who, by his oppressions, goaded his tenantry into revolt: they seized the Bishop, and roasted him alive in his own kitchen.

There is no suggestion that Sharp was an oppressive landlord. He was charitable towards the poor, as may be seen from his book of household expenses (see *Misc. of Maitland Club*, II. pp. 497-541, where Sharp's bills of fare in London are detailed. He seems to have been inordinately fond of "oystairs" and "cheekines.")

On the very day that the address was presented, Robert Hamilton, at the head of a body of extremists, rode into Rutherglen, near Glasgow, and made a theatrical display. At the Market Cross they burned certain obnoxious Acts, and affixed to the Cross a written "testimony" of "the true Presbyterian party." It was a sign of the widening cleavage in the Covenanting ranks; a cleavage which the Indulgences had done much to accentuate, as indeed they were intended to do. By the left wing of the party, the indulged ministers were increasingly regarded with aversion, sharing the reprobation of the extremists equally with the prelates. Midway between the two, was a section represented by men like Welsh, who, while refusing indulgence, dissociated themselves from political action, and declined to execrate their indulged brethren.

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[1] *Cal. of State Papers, Dom. Ser.*, 1679-80, p. 138.

On 31st May, John Graham of Claverhouse (whose character of recent years has been genially whitewashed) was beaten and put to flight at Drumclog by a party whom he had attacked, headed by extremists like Balfour of Burley and Russell (two of Sharp's assassins) and Robert Hamilton. Retiring to Glasgow, Claverhouse repulsed the victorious Covenanters. Ere long, however, the enemy, reinforced by a considerable addition to their strength, occupied the city with some 7000 men. But the dissensions in their ranks prevented the Covenanters from pursuing their advantage with the vigour that the opportunity demanded. The opposing militia consisted of 6000 foot and 2000 horse, but they were a wholly unreliable body, and it is doubtful whether their resistance could have been an effective check; while the standing forces were numerically too weak to be of much use except for stiffening the militia.

Meanwhile, Lauderdale was making hasty preparations to send English troops across the Border to help in suppressing the insurrection; a clearly illegal step, for, by an Act of Parliament, it was not allowable to send English forces into Scotland. But in the eyes of an autocracy, necessity recognizes no law when its safety is at stake. Thus it happened that, by the irony of circumstances, it fell to Lauderdale's lot, in the King's interest, to send an English army into Scotland, instead of a Scottish army into England, with the same object. It was a startling reply to the oft-repeated accusation against him by the English Parliament, that his intention was to march an army of Scots across the Border to subvert the liberties of the English people.

On 14th June, Lauderdale brought his instructions to Monmouth, who had been appointed to the command of the troops.[1] His marriage with the heiress of Buccleuch gave Monmouth the Scottish title of Duke of Buccleuch, and thus made him a more acceptable deliverer to the Scottish people than any Duke of Monmouth could have been. The English reinforcements found the insurgents at Bothwell Bridge, still quarrelling among themselves. Yet they refused to surrender unconditionally, and Monmouth would offer them no other terms. They fought (22nd June), and for a time they fought well; but once the Bridge was carried by the King's troops, the end was what the Privy Council correctly termed a "totall rout." As Burnet puts it: "they had neither the grace to submit, nor the sense to march away, nor the courage to fight it out."[2] Some 400 were killed, and 1200 taken prisoners. The prisoners were disgracefully used. They were penned like cattle in Greyfriars Churchyard in Edinburgh, and they were treated as cattle. Most of them escaped from their sufferings by signing a bond not to take up arms in future against the Government. The others were sold as slaves to the plantations, and most of them perished by shipwreck off the Orkneys under piteous circumstances. The Privy Council excelled themselves in proving their loyalty by their severity. Two ministers named King and Kid were executed, notwithstanding the excellent reasons they gave in their petition to the King for being set at liberty. But the Council countered these petitions by declaring them to be "incendiary preachers" and "traitours."[1]

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[1] *Cal. of State Papers, Dom. Ser.*, 1679-80, p. 175.

[2] *History*, p. 314. Scott's pictures of the Bothwell Brig fight are not only wonderfully vivid, but substantially accurate: indeed, throughout the pages of his *Old Mortality*, he gives the true atmosphere of the times (*pace* Dr M'Crie and his other critics). But Scott made a blunder in representing Lauderdale as presiding over the Scottish Council when the Bothwell Brig prisoners were examined. He was in England all the time.

The news of the insurrection in Scotland made a deep impression upon the King's Ministers in London. Intelligence of the revolt reached the Privy Council during a sitting on 8th June. Russell denounced Lauderdale as the author of the insurrection. "Sit down, my Lord," said Charles with a sneer, "this is no place for addresses."[2] Halifax and Temple threatened to resign from the Council owing to the King's patronage of Lauderdale; but the threat was without effect. The King announced his intention of entrusting the suppression of the rebellion to Monmouth, and for that purpose creating him Commander-in-Chief for Scotland, as well as for England. Coventry remarked that the rising was "a very unseasonable business to ye Government" (as indeed it was), and wondered if, in view of these events, Lauderdale did not wish to retire of his own accord. "For certainly this cannot end wth: any good to him if hee stand it out."[3]

He stood it out. But so propitious an opportunity for his enemies of driving him from power had never occurred before. The Hamiltonians, who had been encouraged to come to London, had placed their battery of accusations in position, and were about to pour an overwhelming fire of concentrated grievances on their foe. The Amsterdam plan of attack on Lauderdale was being closely followed. Its basis was simplicity itself: if one plea fails, another may succeed. The pitcher—to use the Amsterdam simile—was to be laid hold of by both ears.

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[1] *Lauderdale Papers*, III. pp. 176-9.

[2] *Life and Letters of George Savile, 1st Marquis of Halifax*, by H. C. Foxcroft, I. p. 166.

[3] *Ibid.*, I. p. 167.

Two statements, both entitled "matter of fact," seem to have been prepared for the King's consideration; one of which clearly bears an English origin; the other was the acknowledged handiwork of Hamilton and his friends. The former, indeed, touches upon Scottish matters such as the descent on the West of the Highland Host; the system of bribery set up by the Duke and Duchess; and the Mitchell affair. But the allegations were mainly centred upon such charges as Lauderdale's Popish tendencies; his contempt for the House of Commons; his subserviency to France, of which country he was accused of being a pensioner; his wrecking of the negotiations for union between the two countries for selfish reasons; and (of course) his crowning infamy of offering the King a Scottish army, the main purpose of which, it is plainly hinted, was to establish Romanism in both Kingdoms. It is alleged that he lived in correspondence with Papists; that he kept up a constant correspondence with Rome; that he was called "a great friend of the Catholics" by an official of the Pope's bed-chamber; that the Cardinal of Norfolk was perpetually at his house before he left England; and finally (the crowning proof!) that he had spoken of the Oates discovery to the Duke of York with scorn, calling it a "ridiculous contrivance" (precisely what it was).[1] But Lauderdale a Papist!

He is accused of having received "rich presents and great sums" from France, and that he had made his "rich George" out of one of the jewels given him by Colbert. The latter certainly mentions (in connexion with the treaty of 1672) that he had given a present to Lauderdale, and that he was to give similar presents to Buckingham and Ashley. Arlington's wife had received a necklace valued at 60,000 francs.[1] It is scarcely necessary to say that complimentary presents of this description were internationally customary on the exchange of treaty ratifications, and that the custom persisted long after the reign of Charles II.

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[1] Somers' *Tracts*, VIII. pp. 504-8.

If the flimsy charges in this document represented the best grip that could be obtained of the "pitcher's" English ear, there was little prospect of the "great loon" being dragged off his feet. For him the real danger came from the Scottish "further matters of fact"[2] which, if not all of them proveable, were at least plausibly damaging. The main accusations were the familiar grievances: the bribes received by the Duke and Duchess; the Highland Host; the bonds; lawburrows; the Privy Council's high-handed measures directed against the Hamiltonians: illegal imprisonments of some and incapacitation from public offices of others; the Kirkton affair; and the Mitchell affair.[3] Following these allegations came a battle-royal on

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[1] Christie's *Shaftesbury*, II. p. 31.

[2] What may be called the 'Scottish' preliminary list of charges relates to Lauderdale's manipulation of the magistracy of Edinburgh, and the system of burghal bribery and corruption that had clearly been established. The Duchess appears to have been the able and unscrupulous manager of the department of bribes.

[3] Somers' *Tracts*, VIII. pp. 501-4. Wodrow's comment (III. p. 163) on these charges is noteworthy. He says: "Had the nobility and gentlemen concerned in this paper landed many things narrated, at the door of the prelates as well as Lauderdale's, I conceive the representation had been fuller and not the less just . . . And so all is landed upon the Duke." See Wodrow's statement of the charges III. pp. 159-163.

8th July at Windsor, which lasted for eight hours, between Sir George Mackenzie as King's Advocate, representing Lauderdale and the Scottish Privy Council, on the one side, and the Hamiltonians (Hamilton, Atholl, and Sir John Cochrane) with their legal advisers, Lockhart and Sir John Cunningham, on the other. And the latter had the backing of Halifax and Essex, who spoke warmly for the complainants, Halifax, in particular, animadverting upon acts of "flagrant illegality," though he had to admit that the Scottish nation were "more free than the English."[1] Also, they had the support (for what it was worth) of the Chief of Clan MacNaughton, an enemy of Argyll. Charles bantered him: "You are a great lawyer and a Highland man"; and, indeed, the Highland Chiefs were getting as skilled in points of law as in cuts with the broadsword.

Single-handed, Mackenzie ("that noble wit of Scotland" as Dryden called him) made out a good case for the Administration, and, in the end, convinced Charles that the charges of illegality against the accused had not been made out. Especially did he repudiate the responsibility of Lauderdale for acts of the Council committed while the Secretary was in England. Certainly, it was hard to justify complaints against the latter for the proceedings of the Council in his absence. It is clear that the authority of the Secretary over the Council was limited by the general lines of policy laid down by him, and that the responsibility for some, at least, of the grievances, rested upon the Council as a body.[2]

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[1] *Life and Letters of George Savile*, I., p. 173.

[2] Wodrow (III. pp. 170-1) relates how Lauderdale came out of the inquiry with flying colours. For that result he had to thank, in a large measure, Sir George Mackenzie.

The Council's capacity for further mischief was checked by instructions from London, giving Monmouth full discretion of pardon to all except those who had been legally forfeited for crime previous to the outbreak of the rebellion at Rutherglen, and those who were guilty of the murder of Sharp. And he was particularly requested to protect the Bishops and the "orthodox clergy, who are chiefly declared to be the object of the malice of these rebels."[1] "The Church," wrote the Bishops to Lauderdale, "groaneth under extreme contempt." It was not Lauderdale, or even the Privy Council, that aroused such furious resentment; it was the Bishops; always the Bishops. And this feeling was not mitigated by the punishment meted out to Sharp's assassins, nine of whom, who had confessed to their complicity, being condemned to be "hanged in chains where that horrid murder was committed."[2]

Monmouth's attitude towards the beaten Covenanters[3] (it was humane compared with that of the Council) had a pacifying effect, which Charles strove to intensify by instructions inspired, doubtless, by Lauderdale. He ordered the Council to do all in their power to convince those who desired to "live peaceably," of his inclination to "forget their bygone errors and to comply with their weaknesses with due regard to the security of our government and just rights." Also, he adjured them "to govern the people with so much moderation as may convince all our subjects that you have been unjustly reproached."[4] The Third Indulgence granted by Monmouth before he left Scotland in July, was ostensibly an expression of goodwill; but it had the effect of widening still further the division in the ranks of the Covenanters. He was succeeded as Commander-in-Chief by the "Muscovite beast," General Tom Dalyell, who drilled his men "in the old German way."[1] Meantime, Lauderdale's expected resignation of the Secretaryship was being freely discussed, for the succession to which, Sir George Mackenzie of Tarbat, the Lord Advocate's cousin, was said to be the most likely candidate. But important changes in the government of Scotland were now imminent.

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[1] *Cal. of State Papers, Dom Ser.*, 1679-80, p. 178. [2] *Ibid.*, p. 208.

[3] Monmouth was advised in some quarters not to own Hamilton (who would "draw the grist of Scotland to his own mill") but to own Lauderdale and to be "a perfect disciple to him" (*Lauderdale Papers*, III. p. 200).

[4] *Cal. of State Papers, Dom. Ser.*, 1679-80, p. 211.

The short illness of Charles, in August 1679, brought the Duke of York back from Brussels; and his arrival in England altered the aspect alike of English and Scottish affairs. Monmouth's cause, which derived its main inspiration from Shaftesbury, received a set-back. Charles made it clear that he meant to support his brother's succession to the throne. To signify his displeasure with the intrigues to supplant the Duke of York by the "Protestant Duke," he ordered Monmouth out of the country, while the "Catholic Duke" was allowed to take up his residence in Edinburgh. In a letter from Lauderdale to Hamilton of 16th October, he gave instructions for Holyrood Palace to be "voided"; the whole Palace to be left for the accommodation of "their Royal Highnesses and their retinues."[2]

[1] Dalyell, the man with the queer dress and the long beard (unshaven since the death of Charles I.), was a sheer joy to the London street boys on the rare occasions of his going to Court. He was not so amusing as "Dugald Dalgetty" (Turner), but he was honest enough in his conviction that the only cure for conventicles was "extirpation" of the conventiclers.

[2] It was about this time that Lauderdale, for his protection, took out letters of pardon that could scarcely have been more comprehensive

As a sign of the influence which the Secretary for Scotland was popularly believed to wield in English affairs, we read that about this time Charles had no council "except the Duchess of Portland, the French Ambassador, Lord Duras (Louis de Duras, Earl of Faversham) and the Duke of Lauderdale"[1]: a sarcasm that did not lack point. But in the administration of Scottish affairs, Lauderdale's day was over. To his admirers in Scotland, he was still "the onlie honor and patron of our contrie,"[2] but his patronage was now of relatively small significance. The real power was in the hands of the Duke of York; and it must be admitted that at first his policy (based upon Lauderdale's) was sufficiently conciliatory to obtain favourable recognition, even by those who had the strongest antipathy towards his religious creed. A difficulty arose about his membership of the Scottish Privy Council, for the oath of allegiance which he was required to take, contained a declaration against the Roman faith. The question was referred to London for decision, and Lauderdale hoped that York would see his way to swallow his scruples. That, however, was what the Catholic Duke was not prepared to do. He pointed out that he had never been required to take the oath when he sat in the Scots Council at Hampton Court, so why should he now take it in Edinburgh? He differed from Lauderdale in

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in their scope. Writing on 2nd October 1679, Barillon, the French Ambassador, says: "Nothing is more in fashion here than to take letters of pardon. Lord Lauderdale has taken them, and has even included the crime of rape to shelter himself from everything that might hereafter be done against him." (Christie's *Shaftesbury*, II. p. 348).

[1] *Cal. of State Papers, Dom. Ser.*, 1679-80, p. 429.

[2] As he was called by Lord Mordington in a letter asking for a Scots viscounty to be conferred upon a friend, who offered 500 "peaces in gould" for the honour.

thinking that sitting on the Council without taking the oath would give a handle to his enemies; he believed that the contrary course would have that effect. In the end, the difficulty was overcome by the complaisance of the Council, and on 4th December 1679, York was able to tell Lauderdale that he had taken his seat.[1] But Lauderdale's objections were not forgotten by York, and the incident may have cooled a friendship that before long was to be irremediably severed.

For years, the relationship between the two Dukes had been cordial, though on some matters their views did not harmonize. Writing in 1677, Sir John Reresby relates that he had been visiting the Duke and Duchess of Lauderdale "at their fine house at Ham." After dinner, the Duchess entertained him in her chamber, "with much discourse" upon "affairs of state." He describes her as "a beautiful woman, the supposed mistress of Oliver Cromwell and at that time a Lady of great parts." Duke and Duchess alike were entirely in the Treasurer's (Danby's) interest. Her chief complaint was that the Duke of York "so adhered to Papists and Fanaticks," and used his political influence in the Romish interest. And Reresby goes on to say that the Duchess let him "into the secret of many things" he had never so much as heard of before, particularly in relation to Scotland.[2]

It may be assumed that the views of the Duchess of Lauderdale about the Duke of York were also those of her husband; and they form a striking refutation (if refutation were needed) of the charge made against him of favouring Papists. But in political matters, apart from religious questions, the two Dukes worked in harmony. When York was urged by one of the King's Ministers (unnamed) to join those who wished to have Lauderdale removed, his reply was that "he had served the King very well and was his particular friend, of which he had many testimonies in his absence" (while in Scotland). The Ministers' comment was that they wished to lay Lauderdale "gently" aside, "to sweeten things before the Parliament met."[1] It was true that Lauderdale had given York concrete and valuable proofs of his friendship. He was the first to advise the King, during his illness, to send to Brussels for his brother; and when England became too hot for York, Lauderdale advised him to go to Scotland and promised to use his influence, "which was great," with his friends and his party to support him. He did so, and thereby lost his own party, and York made up "a mongrell party of his owne in Scotland, partly composed of Lauderdale's friends and of other new ones whom York assumed."[2]

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[1] *Lauderdale Papers*, III. pp. 184-6.

[2] *Memoirs of Sir John Reresby*, pp. 28-9.

Correspondence between the two Dukes shows how much York relied upon Lauderdale for information and advice while in Scotland. A letter to Charles from the Privy Council of Scotland, dated 17th February 1680 (one of the signatories was Argyll), lauding the administration of his "Royall Brother," and stating that during his sojourn among them, they had had "the most peaceable and seren part of our life," was an indirect testimony to the efficacy of Lauderdale's counsel.[3] York was as industrious as his brother was indolent: and he was easy of access like Charles. One piece of constructive statesmanship, at least, may be placed to his credit; and that was the temporary pacification of the Highlands. Beyond doubt, his presence in Scotland helped to keep both Highlands and Lowlands quiet, by the prestige attaching to his Stewart birth; for, as the Privy Council expressed it (with more than doubtful historical accuracy) "the remembrance of having been under the protection of your Royall family above two thousand years" counted for a good deal in Scotland.

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[1] MacPherson's *Original Papers*, I. p. 97.

[2] Fountainhall's *Historical Observes* (*Bann. Club*, Vol. LXVI.) p. 75.

[3] *Lauderdale Papers*, III. pp. 192-4. Writing to Lauderdale in February 1680, Sir George Mackenzie says: "The country is quiet, nor doe I think any will ryse whilst the Duke is heer" (*Lauderdale Papers*, III. p. 191).

The feud between Argyll and the MacLeans had to be composed somehow; and in 1680 it occupied a good deal of attention from the Duke of York. He was anxious to limit the power of "the Protestant Earl"; for, as he told the King, Argyll was "greater than it was fit for a subject to be." Also, Seaforth, Argyll's enemy, was a Romanist. He succeeded to the title in 1678, and York must have been favourably disposed towards him as a co-religionist.[1] But Argyll had the backing of Lauderdale; he had great feudal influence; he held his own Courts; and he had the advantage of "the strong hand." Against him were pitted Seaforth's astute relative, Sir George Mackenzie of Tarbat, and Argyll's creditors; while Tarbat's cousin, Sir George Mackenzie of Rosehaugh, had to play the difficult part of squaring his duties as Lord Advocate with his private feelings towards Argyll, and his loyalty towards Lauderdale. He complains that he has had to serve Argyll, even against "my own relatives," and thinks it hard that he should be blamed for

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[1] He was afterwards one of the staunchest supporters of James II. when in exile. James created him Marquis of Seaforth.

Tarbat's acts; (there was unavoidable confusion between the two Mackenzies). Although in the end, Argyll succeeded in wresting from MacLean the ancient patrimony of the latter—who was temporarily mollified by an allowance of £500 a year, ungraciously conceded—it was inevitable that the affair should cause ill-feeling. Later, it reacted upon Argyll when he came to take the Test, and his enemies seized the opportunity to break his power and to endeavour to deprive him of his estates. But the Duke and Duchess of Lauderdale intervened most vigorously in the interest of Argyll's heir, who, it will be remembered, was married to a daughter of the Duchess, and their intervention—they "interceded vehemently for Lorn"[1] — was successful. In Lauderdale, Argyll had always a friend at Court. But it was no easy thing for the Duke to convince the King, in face of the antagonism of the King's brother, that Argyll was "well-disposed to his service," which was the only argument that carried weight with Charles.[2]

Lauderdale's enemies had not yet finished with him, notwithstanding the fact that his political career was obviously nearing its end. Shaftesbury continued to aim his barbed shafts of venomous wit at the ageing Minister. Writing to Locke on 20th March 1680, he says: "Our Government here are so truly zealous for the advancement of the Protestant religion as it is established in the Church of England, that they are sending the Book of Common Prayer the second time into Scotland. No doubt but my Lord Lauderdale will agree with their present constitution, but surely he was much mistaken when he administered the Covenant to England" (a telling sarcasm); "but we shall see how the tripodes and the holy altar will agree."[1]

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[1] MacPherson's *Original Papers*, I. pp. 131-2.

[2] *Ibid.*, I. p. 123. The Duchess wished (in March 1681) that Argyll would sell his estates "so as his family may not be a prey to his enemies."

Lauderdale was attacked for infidelity to the Protestant faith; and he was attacked for fidelity to "the Protestant Duke." In April 1680, one Sellwood was put up to charge him with having made an incriminating statement on "the fiction of the marriage" of Lucy Walters with the King. The supporters of Monmouth's legitimacy were guilty of what was, in effect, *lèse-majesté*, for Charles had declared that his son was a bastard. But the attempt by this means, to bring his Minister under the ban of the King failed, for Secretary Jenkins declared it to be an "impudent calumny," which resulted in Sellwood being handed over to "Mr Attorney."[2]

His opponents might well have left him in peace for a little longer, for in October 1680, he resigned the Secretaryship for Scotland, and his official connexion with that country finally ceased. Early in November, he was the recipient of a letter from the Scottish Bishops, expressing their "great concernment" at his resignation, and offering on his retirement, their most fervent prayers "for his honor, interest, and glorie in both worlds." They lauded, in well-chosen phrases, his "eminent good offices" to "this poor afflicted Church," and cherished the hope that his successor (the Earl of Moray) would show them "the same kyndnes and protection." They allude to his resignation as having been tendered for "your owne solid and wise reasons."[1]

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[1] Christie's *Shaftesbury*, II. p. 361. I cannot trace that the *Book of Common Prayer* was, as a fact, used in Scotland during the reign of Charles II. Nor was the surplice worn, for, by the people, it was regarded as "a whore of Babylon's smock." Needless irritants were wisely avoided, where no principle was involved. As exceptions to the rule, the liturgy was used in the Chapel Royal at Holyrood and apparently in Gilbert Burnet's old church at Saltoun.

[2] *Cal. of State Papers, Dom. Ser.*, 1679-80 p. 452.

What were those "solid and wise reasons"? In a letter to the Duke of York of 4th July 1681, he mentions them. "Having" (so he writes) "for these few years past had as meane an opinion of my owne abilities as it is possible for any other to have . . . upon that account only did I desire leave to retire." Is this the language of affected modesty, or is it a frank recognition of the failure of his policy? There is no word here of physical decay, but there is an implication of failing mental powers. The state of his health was not good, but was not sufficiently bad to cause his resignation. On the whole, it may be reasonably surmised that by the summer of 1680, if not earlier, he had come to the conclusion that the proposal to lay him "gently" aside was being systematically carried out, and that he had outstayed his welcome as the King's Minister. Therefore, there was only one thing for him to do; and he did it. He accepted the inevitable, and resigned.

Soon after his retirement from the Secretaryship, he voted, as his last public act, for the condemnation of the Catholic Earl of Stafford, and this vote cost him the friendship of the Duke of York. He voted against Stafford, says Lord Fountainhall, "*cum elogio* as he was a good Protestant." From that time York hated him, and "broke his power and his party all he could." According to Fountainhall, Lauderdale had the mortification of seeing "his influence with his Majesty everie day diminishing," as the result of York's enmity.[1]

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[1] *Lauderdale Papers,* III. pp. 211-2.

He left some difficult problems for his successor to solve. In the summer of 1681, the Duke of York went to Scotland as the King's Commissioner to open the Scottish Parliament. In itself, the re-institution of Parliamentary government was a challenge to Lauderdale's policy. And this occurred soon after the dissolution of the English Parliament by Charles, who had profited by the violence of the Whigs (and a fresh pension from France) to effect his master-stroke at the right moment. But an English Parliament was always a potential menace to the prerogative, whereas a Scottish Parliament was little more than a Royal toy thrown to the Scottish nation for its amusement. And Hamilton, who had been "in a storm for seven years" by opposing Lauderdale, was now disinclined to remain in the cold shadow of opposition any longer, "unless he were sure of the majority."[2]

There was no lack of active employment for the Duke of York. A "new model" for the militia had to be framed; and a diplomatic difficulty with Holland had to be arranged. For Holland "being the great mart and port of the commerce of this Kingdom," the Scottish merchants were in danger of being "debauched" from their "dutee and loyaltie" by "rebells and fugitives" who lived in that country. The Privy Council of Scotland desired, therefore, that pressure should be brought to bear upon the States-General to banish such fugitives from their dominions. The militia and the Dutch question were legacies left by Lauderdale to his successor, who, moreover, had the task imposed upon him of cleaning out the Augean stables of finance. Also, the settlement of the Highlands remained as a challenge to Scottish statesmanship. And above all, the vexed question of conventicles was more perplexing than ever.

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[1] *Historical Observes* (Bann. Club, Vol. 66), p. 75. In one of his "Observes," Fountainhall calls Lauderdale "Jock of bread (broad) Scotland" to denote his power. An English contemporary calls him "Cocky"!

[2] Burnet's *History*, p. 338.

The new Commissioner applied himself to these problems with sufficient vigour. The effect of the seditious principles imbibed in Holland was apparent in the bold declarations of Richard Cameron and Donald Cargill, who, with their followers, openly renounced their allegiance to the Crown. Cameron was killed in a skirmish in July 1680, and in September of the same year, Cargill, at a field conventicle held at Torwood, formally excommunicated the King, the Duke of York, the Duke of Monmouth, Rothes, Dalyell, the King's Advocate and (as an afterthought) Lauderdale.[1] The Cargillites were condemned by the moderate Presbyterians as social revolutionaries, so it is not difficult to gauge the opinion held by non-Presbyterians of their doctrines. The Torwood excommunication was the sequel to what were known as the "Queensberry Paper" and the "Sanquhar Declaration," manifestoes (the first a draft) of clearly seditious principles. Charles had sagely declared that his subjects would not kill him to put his brother in his place. Some of the Scottish revolutionaries were apparently ready to kill both. It was with a fervent conviction of the sacredness of his person, that Charles instructed the Privy Council to advertise the Cargillite "new Covenant and Declaration," so that his loyal subjects might be fully informed, and have a just abhorrence of the "principles and practices of these villains."[1]

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[1] *Lauderdale Papers*, III. p. 209.

After Cargill's execution on the 27th July 1681 (it was noted, as a coincidence, that the excommunicated Rothes died the same day), his followers (the Cargillites) with Cameron's followers (the Cameronians) having been thoroughly indoctrinated with the spirit of "the new Covenant," could hope for no sign of clemency to be extended to them. A definition of the "King's enemies," given by Charles in May 1680 for the guidance of the Privy Council, clearly placed these factions outside the pale of mercy, for the salient clauses of this declaration excluded from grace "all found at field conventicles in arms," and all who, being found at conventicles, resisted capture by the King's forces.[2] When, in addition to these offences, the conventiclers refused to acknowledge allegiance to the Crown, they were regarded, and treated, as wild beasts to be hunted down by the soldiery. The outcome of this attitude was the dreadful "Killing Time," one of the darkest pages in Scottish history. Under Lauderdale's administration, nothing approachable in cruelty to that period of ruthless brutality had been seen. Beyond doubt, the political tenets of the extremists were anarchic in their tendency. But their doctrines were either the expression of pathetic fanaticism, or the result of unremitting oppression, or both. The ignorance of some of these men (and women) who were tortured and executed for what they believed to be their religious faith, was only equalled by the fortitude with which they endured their sufferings. No effort was made to understand their point of view, nor to combat their wild theories by means of discriminating leniency, exercised with due regard to the circumstances of each case. Dalyell's "Muscovite" way of total extirpation (how history repeats itself!) was the last word in the Scottish statesmanship of that period. Gladly would the suffering people have exchanged the Duke of York for Lauderdale. But, equally with Lauderdale, the Duke of York failed to correlate with repression, a constructive policy, as an antidote against revolutionary tendencies. In the Restoration period, the bludgeon of force was the only weapon in the arsenal of the State that was used for protecting itself against sedition. The aim was to eradicate the effect, not to remove the cause.

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[1] *Cal. of State Papers, Dom. Ser.*, 1679-80, p. 539.

[2] *Ibid.*, p. 485.

But, to do him justice, York effected reforms in some directions. He secured, temporarily, the peace of the Highlands by making Argyll, Atholl, Huntly, and Seaforth responsible, each for the good behaviour of the clans within his sphere of influence, and the old system of taking bonds from the chiefs and heritors for securing the Highlands from robberies and depredation was applied, apparently with good results. But it was in the sphere of finance that he was most successful. In June 1681, a scheme was set on foot to re-organize the affairs of the Treasury. The revenue was only £60,000 a year, and required careful nursing. Instead of economy, there was extravagant administration, and clearly dishonest handling. There were frauds both in the Customs and Excise; and these were checked by the abolition of the system of farming the revenue. How far the Duke of York was actuated by an honest desire for clean finance, or to hit Lauderdale through Halton, his jobbing brother, and the Duchess, his grasping wife, need not be considered; for motives, in such circumstances, are usually mixed. But a letter from York to Colonel George Legge, dated 1st November 1681, shows in what light he regarded the financial relations of the Duchess of Lauderdale with Scotland. He hears that the Duchess is "very angry" with him for the changes he has made in the Sessions. He does not wonder at it, for some of those dismissed were her "creatures." She received the late Register's pension, and some said that she went shares with him in the perquisites of the place. "And that which vexes her most is that she sees she can no more squeeze this country as she has done for several years past, and gott very considerable somms of money," to the detriment of the King's service.[1]

Decidedly the Duke of York had turned off the tap from which money flowed from Scotland to Ham House.

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[1] *Hist. MSS. Com. Rep.*, XI. Pt. V. p. 70. From letters written by Sir George Mackenzie in 1680, we discover something of the traffic in bribes carried on by the Duchess of Lauderdale. Mackenzie, himself, was above taking bribes, but Her Grace expected him to arrange the traffic for her. (See *Lauderdale Papers*, III. pp. 204-5 and 218-9). Sir George Mackenzie of Tarbat was the new Clerk-Register.

CHAPTER XXV

After his retirement from office, Lauderdale seems to have spent much of his time at Bath and Tunbridge Wells, drinking the waters. Law says he was "paralytic," and consequently "disabled from Council and advice-giving." He adds that, with the object of striking at Lauderdale, the Privy Council of Scotland advised the King to call in all the pensions he had granted. Thus Lauderdale was deprived of his pension of £4000. He complained to the King, and "entreated him not to let his old and faithful servant die in poverty"; but without avail.[1] If Law's statement is correct, there is point given to Lord Fountainhall's remark that some weeks before Lauderdale's death, he was heard to say, "in Cardinall Wolsee's words," that if he had been as faithful to his God as he had been to the King, he would not have shaken him off in his old age, "as his Master and the Duke of York has done."[2] The pity of it is that the discovery came too late.

One of the last recorded acts of Lauderdale was his attempt to befriend Argyll in his time of need. The Earl was about to be tried for "leasing-making"—a form of treason—in connexion with his attitude towards the Test for members of Parliament, and for officials in Church and State: an absurdly self-contradictory oath. Gilbert Burnet states that Lauderdale "tried his whole strength" with the King to preserve Argyll; "but he was sinking both in mind and body and was likely to be cast off in his old age" (as he was). Burnet, himself, induced Halifax "to offer him his service," for which "Duke Lauderdale sent me very kind messages."[1] But the Duke of York, as vindictive as Charles was ungrateful, took offence at Burnet's action, and "it was not thought fit upon many accounts that I should go and see Duke Lauderdale, which I had intended to do. It was well known I had done him acts of friendship; so the scandal of being in enmity with him was over; for a Christian is no man's enemy, and he will always study to overcome evil with good."[2] There speaks the future Bishop of Salisbury; not the political intermeddler. Lauderdale failed to save Argyll from imprisonment, but the Earl saved his friends further trouble by escaping, disguised, from Edinburgh Castle. His further adventures, ending in his execution, are well-known incidents in Scottish history.

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[1] *Memorialls*, p. 234.

[2] *Historical Observes*, p. 74.

Burnet tells us some facts about the Duke of York's administration in Scotland in 1682. "All stooped to him" (as they had previously stooped to Lauderdale until his fall). "The Presbyterian party was much depressed" (for excellent reasons). "The best of the clergy were turned out" (those one infers, whose "stoop" was not sufficiently pronounced). "Yet with all this, he was now more hated there than ever." Burnet, it must be remembered, had said much the same things about Lauderdale: his judgment, one fears, was apt to be warped by his antipathies. But certainly, James Stewart, the "Papist," was not admired by Presbyterian Scotland, and his cold temperament was scarcely likely to attract the love of any party, however labelled. Argyll's business had made York unpopular, though his share in it is usually exaggerated; he had made promises, for political ends, to traders, which were broken when his ends were gained; and his deal with Halton was not forgotten.[1] "All these things," says Burnet, "together with a load of age, and of a vast bulk, sank Duke Lauderdale, so that he died that summer. His heart seemed quite spent; there was not left above the bigness of a walnut of firm substance; the rest was spongy, more like the lungs than the heart."[2]

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[1] *History*, p. 342.

[2] *Ibid.*, p. 343.

At Tunbridge Wells,[3] on 24th August 1682, died "the Great Minister of State," as Law calls Lauderdale; "the learnedest and powerfullest Minister of State in his age," as Sir John Lauder of Fountainhall describes him. The comments of Fountainhall, who was a level-headed lawyer and a clear-sighted politician of moderate views and caustic humour, deserve quotation. "Discontent and age were the ingredients in his death, if his Dutchesse and Physitians be freed of it" (the lawyer must have his joke against the doctors!); "for shee had abused him most grosely and got all from him she could expect. . . . He dyed seasonably for his owne credit. . . . Though in one sense, we may use David's words of Abner, that in Lauderdale's death, a prince and great man has fallen in our Israel, yet we may well apply what is said of the same Abner to Lauderdale, that he dyed like a fool by the hand of a woman, as Abimelech and Pyrrhus, murthering the memorie of his family and estate."[1]

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[1] Burnet's *History*, pp. 333-4.

[2] *Ibid.*, p. 344.

[3] Law (*Memorialls*, p. 234) says that the Tunbridge Wells waters were the immediate cause of his death. "After some days drinking he swells," then, on advice, he took water with salt, and it "purges him, and so purged him as that he died of it." Probably this explains Fountainhall's allusion to the part played by his "physitians" in his death.

There is a little doubt whether the date of his death was 20th or 24th August.

This allusion is to Lauderdale's disposition of the family estate of Lethington, which he was induced to leave to his step-son, Lord Huntingtower, who, by some was maliciously believed "to be his own" son. According to Fountainhall, the estate really belonged to the grandson of "William Maitland, his (*i.e.* Lauderdale's) granduncle, Secretary to Queen Mary, who lived at Rowan (*sic*) in France, and to whom the Duke of Lauderdale paid a small yearly pension."[2] Halton succeeded to the Earldom of Lauderdale inherited by his brother, but not to the Dukedom conferred upon him by Charles.[3]

The Duke of Lauderdale, "that noble and extraordinarie person," as his successor in the Earldom calls him, was buried on 6th April 1683 in the Church of Haddington, next to his father's tomb.[4] The Bishop of Edinburgh preached the funeral sermon "very lernadly," as the new Earl tells the Duchess, in a business-like letter, written not from love, but from "dewtie." For the information of the Duchess, he describes the principal features of the funeral. There were at least 2000 horse present, "inasmuch yt. they filled the high way for full four miles in lenth," and there were "25 Cotches." Although the Earl had only written the statutory number of letters—one hundred—of invitation to the funeral, "yet so well was he (the Duke) beloved that the whole cuntrie keindly gave ther presence to the assisting in this last dewtie." He invited Tweeddale and Yester to the funeral, but neither of them came. Nor was the virulence of the Duke of York's hatred of Lauderdale abated by death, if the absence of any token of respect for the memory of his predecessor may be so interpreted. As for the King, it was in harmony with his character, that the man who had served him in his life with a devotion that was unparalleled among his other Ministers, should be forgotten by him in his death. When attacked by his enemies, Lauderdale was supported by Charles, not from a feeling of loyalty towards a faithful servant, but owing to his shrewd discernment of the fact that they were striking through Lauderdale at himself. He was so completely selfish that once the necessity for saving himself from the Commons was removed, and once Lauderdale was no longer serviceable to him, he cast him aside like a sucked orange, and (so far as can be discovered) expressed no regret at his death.

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[1] *Historical Observes* (Fountainhall), pp. 74-6. [2] *Ibid.*, p. 75.

[3] His succession to the Earldom coincided approximately with the loss of his places in consequence of his malversation as "General" of the Mint. Prosecuted on a civil action (the King gave the Advocate discretion to prosecute him criminally), he was found guilty of having, with his subordinates, defrauded the Crown of £72,000. The King reduced the amount repayable to £20,000, and of that sum assigned £16,000 to the newly created Earl of Aberdeen (Gordon of Haddo), who succeeded Rothes as Chancellor, and £4000 to Claverhouse. Indirectly, Claverhouse got his subsequent title of Viscount Dundee from this transaction, by Halton's (now Lauderdale) surrender of his lands and lordship of Dundee and Dudhope in exchange for the King's assignment.

The litigation between the Duchess and the new Earl which followed on Lauderdale's death, need not be described here. The Duchess lived until 1698. She was buried on 16th June of that year in Petersham Church, where "there is no monument to her memory." (Lyson's *Environs of London*, I. Pt. I. pp. 294-5).

[4] The Duchess wanted to have him buried at Lauder (Fountainhall's *Observes*, p. 76), but the new Earl was determined to have him buried

The character of Lauderdale suffers from the

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beside his ancestors at Haddington. The length of the interval between his death in August 1682, and his interment at Haddington in April 1683, is rather remarkable.

fact that it has been drawn in unforgettable language by two of his chief enemies, Gilbert Burnet and Clarendon. The relations between Clarendon and Lauderdale have been shown in the preceding pages; they were consistently and inevitably hostile. Clarendon, a man of strong feeling and intemperate expression, hated Lauderdale with a bitter hatred. Therefore, when he limns his character as "proud" and "ambitious," "insolent," "imperious," "flattering," and "dissembling" (compare Sir George Mackenzie's "he knew not how to dissemble"), due allowance must be made for the violence of his prejudice. He grudges him the possession even of his patent virtue of courage. Charles once remarked that "he would venture him (Lauderdale) with any man in Europe for prudence and courage." Clarendon says, "he had courage enough not to fail where it was absolutely necessary, and no impediment of honour to restrain him from doing anything that might gratify any of his passions." But even Clarendon admits that he was a man of "great parts and industry," and his failure to reconcile Lauderdale with Montrose at the Hague was due, as he shows, to Lauderdale's indignation with Montrose for the cruelties inflicted upon the Covenanters; which is rather a curious commentary on the popular view of Lauderdale as a man of a cruel disposition, and the historians' view of him as a hypocritical Covenanter.

Burnet's picture of Lauderdale is that usually quoted by writers on this period, and it may be said to have stamped itself, perhaps indelibly, on the pages of history. His personal appearance is described by Burnet in the following words: "he was very big; his hair red, hanging oddly about him; his tongue was too big for his mouth, which made him bedew all that he talked to: his whole manner was boisterous, and very unfit for a Court." So much for his looks, which, if the description is accurate, were obviously unprepossessing. His portrait by Lely forbids the suggestion that (at any rate in his later years), he was a handsome man: but it was the handsome men, during the reign of Charles II., who did most of the mischief. And by marrying one of the most beautiful women of her time, Lauderdale supplied his own physical deficiencies from the abundant store of his (physically) better-half: it was a reflected glory.

Burnet's picture of his mental qualities is of more importance. "He was very learned, not only in Latin, in which he was a master, but in Greek and Hebrew. He had read a good deal of divinity and almost all the historians, ancient and modern; so that he had great materials. He had with these an extraordinary memory and a copious but unpolished expression. He was a man, as the Duke of Buckingham called him to me, of a blundering understanding"—whatever, precisely, that may mean. Of his great erudition there can be no doubt. The following is a striking testimony to his love of books. "Dr. Mill tells me yt. ye D. of Lauderdale was in his younger days one of the best scholars of any gentleman in these parts, and yt. Dr. Hicks learned Hebrew just to be his Chaplain on purpose yt. he might be able to discourse with his Ld.ship in Rabbinical Learning. That he was a curious Collector of Books,[1] and when in London would very often go to ye Booksellers shops and pick up wt. curious Books he could meet with, but yt. in his elder years he lost most of his learning, purely by minding too much Politics."[2]

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[1] As Evelyn discovered to his cost (see *Diary*).

[2] Hearne's *Collections*, Ed. by C. E. Noble, Vol. I. p. 268.

It was the old story of the two loves, letters and politics, refusing to be harnessed together. Had Lauderdale and Mr Gladstone met at a second-hand bookseller's shop, they would have forgotten their fundamentally opposed politics in their common love of Homer.

When Burnet comes to describe Lauderdale's character as a man, we follow him carefully. "He was haughty beyond expression, abject to those he saw he must stoop to, but imperious to all others. He had a violence of passion that carried him often to fits like madness, in which he had no temper. The only thing to do was to leave him alone until the fit passed. He was the coldest friend and the most violent enemy I ever knew. I felt it too much" (here comes the personal factor) "not to know it." According to Burnet, he seemed at first to despise wealth, but delivering himself up to luxury and sensuality, stuck at no means to support the cost. "In his long imprisonment, he had great impressions of religion on his mind; but he wore these out so entirely that scarce any trace of them was left." And then there is a reflection on his political methods with which, for the moment, we are not concerned. But it must be noted that Burnet asserts that he was "in his principles much against Popery and arbitrary government," though by his actions, "he made way for the former and had almost established the latter."

All this was written by Burnet long after Lauderdale was in his grave. If these opinions of Lauderdale's character and those published by Burnet before he quarrelled with Lauderdale, were placed in parallel columns, they would form a piquant contrast. For Burnet had written of Lauderdale: "The noble character which you do now so worthily bear, together with the more lasting and inward character of your princely mind." He had also lauded the "wise and happy conduct" of Lauderdale, under which "we have enjoyed so long a tract of uninterrupted tranquility." He had also apostrophized the same Lauderdale as "Great Prince! greater in your mind than by your fortune . . . the vast endowments of your mind . . . a master in all learning . . . your profound understanding . . . your well-balanced judgment"; and had concluded his eulogies by disavowing "the least appearance of flattering, which is as unpleasant to you as unbecoming one of my station."[1]

Mr Gilbert's two voices are, to say the least, discordant.

It is no part of the present writer's task to "whitewash" the character of Lauderdale. His only duty is to arrive, as nearly as the facts may warrant, at a just conception of the man. And it is desirable, therefore, to pit against Clarendon and Burnet, opposing views of Lauderdale, expressed, not by his friends, but by those who had actually suffered under his administration. It is unnecessary to quote (for example) Sir Andrew Forrester, who, on Lauderdale's death, writes of his "old kind master"; or to cite Fountainhall, an impartial critic, who blames the Duchess for the Duke's troubles; or to point to the arresting fact that Lauderdale had attached to himself by the bonds, apparently of affectionate intimacy (until they were dissolved by his wife), such estimable men as Sir Robert Moray,[2] and the Earls of Tweeddale and Kincardine. A fact that compels attention is, that (excluding Burnet) in the pages of Scottish contemporaries, one searches in vain for the popular portrait of Lauderdale. Even the Covenanting champion, Wodrow, who was not a contemporary, but was sufficiently close to the period to put his hand on the contemporary pulse, hesitates to condemn Lauderdale for the persecution of the Covenanters: the Bishops were the real culprits. But the most astonishing testimony comes from Mr Law, a minister who was ejected from his parish, and who, moreover, was arrested in 1674 for taking part in conventicles. He writes of Lauderdale that "he was truly a man of great spirit, great parts, great witt, a most daring man and a man of great success, and did more without the sword than Oliver Cromwell, the great Usurper, did with it; was a man very national, and truly the honour of our Scots nation for witt and parts."[1] And all this from a persecuted Covenanter! Was Saul also among the prophets?

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[1] Written in 1673. *Cf.* Sir George Mackenzie's dedication to Lauderdale, in 1678, of his great work on Criminal Law in Scotland.

[2] Sir Robert Moray, the founder of the Royal Society, was in particular a desirable friend, both from the loftiness of his character and the strength of his intellect.

Mr Kirkton, another "outed" minister, if not exactly eulogistic, is at any rate, appreciative of Lauderdale's gifts as a statesman; and his censure of the Duke's politics is, to say the least, mild. To be sure, he asserts that not only was he a "witt and a courtier," but likewise a suitor, through Barbara Villiers, for the King's favours: a wholly unnecessary intermediary, one would suppose. Also, he accuses Lauderdale of being the King's pimp, and of having danced before Charles in a woman's petticoat, to dispel the King's melancholy after the Dutch had burnt the fleet at Chatham. Lauderdale in the rôle of a ballet-girl would, one thinks, dispel the melancholy of a much gloomier man than the Merry Monarch. Stories like these may be regarded merely as second-hand, malicious gossip, and need not be taken seriously. Kirkton could not have first-hand knowledge of doings at Court, which everybody in Scotland knew was a very wicked place; but at a distance, it was easy to exaggerate its wickedness. Gilbert Burnet, however, knew more about Lauderdale's private life than perhaps anyone else. If these charges against the Duke had had any foundation in fact, it is scarcely credible that there would have been no hint of them in "Gibbie's" lively pages. Nor do we find in them any support of the charges of drunkenness and gluttony which were freely brought against Lauderdale. (Law notes a rumour he had heard that, in his old age, the Duke ate "a whole sheep" a day!)

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[1] *Memorialls*, p. 65.

A remarkable letter, undated (but before 1672, Dr Airy thinks), was addressed to Lauderdale by the saintly and broad-minded Richard Baxter, dealing with certain unpleasant scandals about his correspondent. Baxter conceived it to be his duty as a faithful friend, to inform Lauderdale of "the words of great dishonour that are (I doubt not) injuriously spoken of you," for it was difficult for Lauderdale to defend himself behind his back. It was "given out in generall" that Lauderdale was "so fallne from all that can be called serious religion as that sensuality and complyance with sin is yo$^{r.}$ ordinary course. In particular that you use to take yo$^{r.}$ cups unto excess and sometimes unto drunkennes . . . and that the sensualists are hardened by you, and that unto scorne because of yo^{r}. former professions of piety. And (to use their owne words) that you are not only corrupted but a corrupter." And here Baxter tells him (in veiled language) that he was accused of having acted as the King's pimp. "But of yourselfe"—he goes on to say—"I have still with confidence and detestation affronted such detractors and rebuked their reports as *base & odious slanders.*[1] . . . To the more odious part of the aspersions, as *I never gave the least beliefe myselfe,*[1] so I could with the boldest negations, that beseemed one so distant to use, assure all persons that it was false . . . And yet knowing the danger of yo^r. station, I am not without some jealousie lest flesh and worldly wisdom should too much get advantage over you: but these jealousies carry me not to censure you, but to pray the more for you and thus to warne you . . . I know yo^r. temptations are many and strong; and you must be more than man if you keep yo^r. ground without some more than ordinary care and watchfullness and resolution. And God forbid that you should lose that in prosperity which you gained in adversity, and that God who was neere you in a prison should be put farre from you in a Court." In earnest and moving language, Baxter adjures him to "watch and walke with God," and to foster his spiritual life in the midst of his worldly prosperity. "My chiefe end is for God's honor and yo^r. everlasting peace, to desire you to make advantage of detraction and avoid the appearances of evill." His next end was to get such information from Lauderdale as might enable him to vindicate his honour, "when backbiters and slanderers make it necessary." He had not let a living soul know of "this free address to you." But he had acquainted one of Lauderdale's "most faithfull friends" with "the endeavors of the caluminators," and this friend had "told me so much of the malice at the bottome as further enabled me to repell thers."[1]

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[1] Italics mine.

What are we to make of this mass of seeming contradictions? Baxter, at least, makes it quite clear that he did not give a moment's credence to the stories about the grosser forms of vice laid to Lauderdale's charge. In the reign of Charles II. political vindictiveness and personal malice went to almost unbelievable lengths in the traducement of their victims, and one is driven to the conclusion that Lauderdale's was a case in point. Nevertheless, though the odious stories about him were almost certainly inventions of his enemies, there is cumulative evidence that his character had gradually deteriorated in moral force as he grew older. A nobleman of Lauderdale's unsurpassed experience in affairs, and eminent services to the State (latterly as personified by the King), would scarcely in his old age have permitted himself (as he did) to become the victim of the filthy jokes of the courtiers, or the polite snubs of the King, unless he had fallen in self-respect, as he had descended in the respect of others.[2] The King, says Thomas Bruce

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[1] *Lauderdale Papers*, III., *App.*, pp. 235-9. It is no part of my duty to break a lance with the able editor of these papers, who has laid historians under a debt of gratitude by the manner in which he has performed his task. But it would be mere affectation to shut one's eyes to the strong bias against Lauderdale which has accompanied the work. Nowhere is it more obvious than in the use made of this letter from Baxter. Who would have believed that it forms the basis of the attacks upon Lauderdale's private character that are to be found in his *Charles II.* (p. 264), his article in the *Quarterly Review* (January-April 1884) and his account of Lauderdale in the *D.N.B.*?

The most conclusive proof that Baxter disbelieved the scandalous reports, and that he retained his esteem for Lauderdale (an esteem that was mutual) consists in the fact that, in 1673 (*i.e.*, after the letter cited by Dr Airy was written) Baxter dedicated his *Full and Easy Satisfaction which is the True and Safe Religion* to the Duke. Is it conceivable that a man like Baxter would dedicate a book on a religious subject to a notorious reprobate? But in view of the stories then current about Lauderdale, it was certainly a courageous thing for Baxter to have done.

[2] See *Memoirs of Thomas, Earl of Ailesbury*, I., pp. 14-18. (Roxburghe Club). The practical joke related by Ailesbury as having been played

(afterwards Earl of Ailesbury), a Gentleman of the Bedchamber, had become "weary of him." Lauderdale had already made the discovery that he had outstayed his welcome in politics: he was afterwards made to feel, even more emphatically, that he had outstayed his welcome at Court. He had reached the stage of passing off "bald jests for wit," and of repeating other men's good stories—and spoiling them in the telling. He had, in short, become a bore; and a bore was the type of person, above all others, that Charles misliked. Also, the jests were made in a "high Scotch" pronunciation: "no Highlander like him," says Bruce[1] (yet, who ever heard a Highlander speak broad Scots?), and in the opinion of the courtiers, their flavour was not improved by the accent. If Lauderdale's jests had become "bald," it was a sure sign of waning powers, for in his prime, his wit, if coarse (Mackenzie remarks on his "bawdy" conversation), was keenly pungent. Lauderdale's philosophical studies should have taught him how to appraise, at their true value, the favour of Kings and the applause of Courts, but he learned the lesson too late to save his dignity. It was a sad end to the social career of the uncrowned King of Scotland. Commencing life as a young man of piety and unimpeachable morals, he finished his career as an old man who was the butt of

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on Lauderdale, is almost unbelievably filthy—it throws a strong light on the character of the Court. The King's medium of snubbing Lauderdale was a snuff-box made for Charles with the express object of preventing the Duke from putting his fingers in it!

Dr Airy remarks (*Charles II.*, p. 267) rather needlessly, one thinks: "now, there is incontestable evidence that Lauderdale picked his ears in the presence-chamber." It is conceivable that men have blown their noses "in the presence," without forfeiting their reputation for decent manners.

[1] The same writer remarks upon Lauderdale's "Saracen, fiery face." Was the fieriness due to high living?

libertines. In his later years, Cromwell was gravely concerned with the question whether it was possible for a man to fall from a state of grace. Lauderdale answered that question in his own person.

There is a consensus of contemporary opinion that his second wife, the beautiful, and extraordinary clever,[1] Elizabeth Murray, wielded an influence over him that was wholly evil. If that opinion was well-founded, it explains much of his later and less reputable career. It is one more instance, of which history supplies not a few in number, of a deflection in character from high ideals to low standards of life, being caused by feminine ambition unrestrained by the curb of principle, and feminine pride unregulated by a sense of propriety. Women endowed with the beauty and the talents of a Duchess of Lauderdale must inevitably be a power for good or for ill: and if Lauderdale is censurable for yielding to the unscrupulous whims of a fascinating, but avaricious wife, he is found in illustrious company. But, in truth, the morally mephitic atmosphere of the Court of Charles II. was sufficient of itself to blight the higher life of a man who had lost his spiritual anchor. Lauderdale needed the chart suggested by Richard Baxter to guide him through the shoals of Whitehall. Baxter threw the flare of a warning beacon across the hidden dangers. But the warning was unheeded, and the result, if not complete shipwreck, was, at least, a battered reputation. His early piety was as little able to restore his moral prestige, as were the healing waters of Tunbridge Wells to make a heart that was "quite spent," pulse once more with the vigour of youth.

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[1] Her letters show a business aptitude that was remarkable for a woman of that period, and her knowledge of affairs was apparently equal to her business capacity. In learning she was a fit mate for her husband.

When we turn from his private life to his public career, we find ourselves on firmer ground. For there, at anyrate, misapprehension was difficult, for his actions betrayed his principles. His political life divides itself naturally into two parts: pre-Restoration and post-Restoration. During the early stages of his public career, when dominated by the generous impulses of youth, he was devoted to the cause of civil and religious liberty in his native land. And not to his native land only, for he served the same cause in England with conspicuous success. But when clericalism in Scotland and militarism in England reared their heads aloft, with the domineering spirit born of acquired power, his sympathies underwent a change; and his energies were thenceforward concentrated upon the preservation from extinction of his own class, the nobility. He perceived that an alliance with the monarchy was the surest means of saving the aristocracy from being submerged in the flowing tide of democracy. That was the genesis of the "Engagement," and the mainspring of his energetic efforts on behalf of Charles II. in his exile and afterwards. And it is clear that his vision extended beyond personal or even class aggrandisement. For he looked forward with patriotic ardour to a wealthier and greater Scotland, guided and dominated by her natural leaders (the aristocracy), that was to arise from the ruins of the newly-consolidated democracy of England. How ill-founded was the vision, depending as it did for its realization upon the support of the monarchy, as represented by Charles, is not difficult of demonstration. But the hope remained, even when its fulfilment had passed out of the region of practicable ideals.

With the Restoration, a new vista was opened up to his perception. His long imprisonment and his ruined estates presented obvious pleas for compensation. His friendship with the restored King was a guarantee of the Royal favour, and marked him for advancement in the State corresponding with his eminent abilities. To a man of his large ambitions, political and social, the allurements of the prospect were overpowering in their effect. Power undreamt of but yesterday: wealth beyond his prison dreams; the sweets of office undiluted by the acids of uncertainty; the opportunity of serving his friends and squaring accounts with his enemies; and perhaps, more potent than all, the attractiveness of magnifying Scotland in his own person: these were the ripe fruits that were now ready to drop into his waiting lap. And all would be his on one condition: an entire devotion to the interests of a master whom he loved as a man and reverenced as a King. The alternative was ostracism, poverty, perhaps voluntary exile, and certainly political impotence.

Few men placed in Lauderdale's situation would have hesitated in their choice, even if hampered by misgivings; and fewer still, if these misgivings were absent. That he had grave cause for misgivings as to the wisdom of the policy which, contrary to his advice, it was decided to pursue in Scotland, he discovered at the commencement of his official career. Men shaped in a heroic mould might, in the circumstances, have resigned place, power, everything, rather than make themselves responsible for a policy of which they disapproved. Lauderdale did not resign; he preferred to bide his time, until events should confirm, as they did confirm, the sagacity of his counsel. He had conceived—perhaps as the fruit of his prison meditations—an overmastering passion for the Supremacy of the Throne as the true source of the welfare of the community; and it has been shown in the foregoing pages that he was ready to subordinate all other considerations to the practical assertion of that theory. It is easy to assume, as it has been usually assumed, that the real object of this passion was self-aggrandisement, but it is difficult to show that the assumption is warranted by the facts. That his own advancement proceeded concurrently with his consolidation of the power of the Throne, was natural; but that is a result which usually follows faithful service in every sphere of life; and the disentanglement of personal interests from the claims of duty is, in such cases, surely a work of supererogation. An identity of interests is the surest basis of successful service. Lauderdale's attachment to the doctrine of the Royal Supremacy is placed beyond doubt by the unflagging zeal with which he worked for its practical expression. But nowhere do we find an avowal on his part of his adherence to the theory of Divine Right, either of Kings or Bishops. His view probably coincided with that of Gilbert Burnet, who said that "I confess I could never understand what they meant who settled monarchy or the power of Princes upon a Divine Right."[1] But personal affection for Charles supplied Lauderdale with what was lacking in his conception of the Throne as a Divine institution; his political experience and his historical studies completed his education. In these days, the view of monarchy as a concentration of the authority of the State finds small favour throughout the civilized world, but in Lauderdale's Europe, Louis XIV. was a shining exemplar of the theory, and Charles was his apt pupil. The whirligig of Time—who knows?—may bring its revenges by a resuscitation of the theory, for when power is abused, reaction pursues a well-defined course in history. That which is a heresy to-day becomes a creed to-morrow. A flawless system of government has yet to be discovered, and the imperfections of human nature suggest the improbability of its ever being found. But the experience of Lauderdale, both before and after the Restoration, ought to have convinced him that the possession of untrammelled power by the Administrative Authority is the one thing to be avoided under any system of government, however labelled, if the permanent welfare of a community is to be secured. For he had seen one Government after another become the engine of tyranny as the direct result of acquired authority, unrestrained by effective checks; and resting, in the last resort, not upon the will of the people, but upon the "arm of flesh." Deliberately he had worked for, and had succeeded in setting up, a system under which this danger was present in its most extreme form. He had succeeded in placing the lives and liberties of his fellow-countrymen at the complete disposal of a King who was too lazy to study their needs, and too selfish to work for their welfare. His aim was to make of Scotland a model State: a model, that is, of unquestioning obedience to authority, and unshakable devotion to the Throne. His aspiration was to present to Charles a nation contented in its peaceful submission to the Royal will, happy in its possession of the Royal favour, and fervent in its loyalty to the Royal person; and had these results flowed from his policy, it would have justified itself. It has been shown how these hopes were falsified by actual events, and how, when he finally left his native country, he left behind him a nation with its horizon clouded by misery, and its temper seething with sedition. He had not gauged the obstinate spirit of his fellow-countrymen, or realized the strength of their devotion to religious liberty. Scarcely, one thinks, would he have committed that blunder in his earlier years, when he was the most responsible Elder of the Kirk, and had his finger constantly on the pulse of Scottish religious life. He laid his plans on a purely political basis, and ignored in his calculations the spiritual side of the Scottish character, which, in the seventeenth century, had a depth and intensity that completely transcended its political values. In his neglect of the relative importance of that factor, he showed a lack of prescience which, but for the width of his political vision and the largeness of his administrative skill, would be sufficient to deprive him of the right to be regarded as a statesman (in the restricted sense of the word); and would scarcely entitle him to a higher place in politics than that apparently implied by the words of a contemporary (Father Orleans) who described him as "a sharp-sighted person and a refin'd politician." And the end was the bitterness of a retrospect, across which the word "failure" was written in flaming letters. In comparing himself with Cardinal Wolsey, Lauderdale wrote his own political epitaph. Had he lived a few years longer, he would have witnessed the obsequies of the policy which, in common with Strafford in the previous reign, he had devoted his strength and his talents to make effective.

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[1] *Supplement*, p. 35. The origin of "Divine Right" probably goes back to pagan times, when descent was traced by Kings from the tutelary god of the nation. (Compare the Anglo-Saxon monarchy and the Woden myth).

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